



## Legislative Committee Schedules beginning 7/8/2016

### Monday, July 11

Joint Committee on Agency Rule Review (Committee Record) (Chr. Uecker, J., 466-4086), Senate Finance Hearing Rm., 1:30 p.m.

### Tuesday, July 12

Senate Public Utilities (Committee Record) (Chr. Seitz, B., 466-8068), Finance Hearing Rm., 1 p.m.

- Confirmation hearings on governor's appointments of Asim Haque and Howard Petricoff, Public Utilities Commission of Ohio

### Thursday, July 21

Joint Medicaid Oversight Committee (Committee Record) (Chr. Burke, D., 466-1731), Senate Finance Hearing Rm, 9 a.m.

**NOTE:** Click bill or resolution number links to see the legislative history compiled by Gongwer News Service. Click the <#> after a bill number to create a saved search and email alert for that bill. Click "Full Text" if present to view the text of legislation on the Legislature's Web site.

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## **Ohio Report for Thursday, July 7, 2016**

Stakeholders Point To New Charter Laws As Closures Increase, ODE Denies All Sponsorship Applications

Medicaid Underspending Driven By Increased Enrollment In Expansion Program, Administration Says

November Ballot Won't Include Any Citizen-Initiated Amendments, Statutes; Some Groups Set Sights On 2017

High Court Set To Hear Two Death Penalty Cases, Along With Four Other Cases Next Week

June Revenue Down At Most Casinos, All Racinos

Cleveland, Akron To Join White House Mentorship Initiative

In Cincinnati, Trump Expands On Controversies; ODP Blasts Billionaire's Business Record

Court Briefs: Buckeye Institute Files Brief In 'Golden Week' Lawsuit; Former Mayor Legally Fired From Lottery Commission Post...

Capitol Scene: Fadel Appointed Ohio Insurance Institute President

Supplemental Agency Calendar

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Day Planner

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## Volume #85, Report #130 -- Thursday, July 7, 2016

### Stakeholders Point To New Charter Laws As Closures Increase, ODE Denies All Sponsorship Applications

In the wake of updated charter school laws, the list of buildings closing this summer is longer than ever and the Department of Education has declined to sponsor any new schools that submitted applications.

At the end of the fiscal year, 20 charter schools did not sign new sponsor contracts and will close their doors, according to ODE. Of those, 11 were given notice in January that their sponsors were dropping them, typically because of poor academic performance, while the other half closed voluntarily. (Closure List)

More than 100 other schools have shut down in the last five years, but this year's group is the largest since June 30, 2014 when 19 schools did not sign new contracts.

A handful of the schools that were given notice that their contracts wouldn't be renewed applied to ODE's Office of School Sponsorship, which can sponsor start-up schools and take over existing schools looking for new sponsors.

None of the 10 schools that sought new sponsorship were approved, however - a first for the department, according to application records from previous years. (Sponsorship Applicants)

Charter schools sponsors and supporters point to tighter closure and sponsorship laws (HB 2) as a cause for this year's stats.

Ron Adler, president of the Ohio Coalition for Quality Education, said it's likely that schools will continue to close in higher numbers each year because of sponsors' concerns about how their schools' state report card scores will impact their evaluations.

"I think that there are probably some schools being closed that probably need to be closed. However, I think sponsors today, with some of the criteria that has come through the Ohio Department of Education that has made it almost impossible and created penalties, they don't want to sponsor some schools," he said.

"We've got some sponsors that are very good at turning around schools and (ODE) has created such a fear factor that sponsors are hesitant for their own existence to help and improve the schools."

The new sponsor evaluations, which are detailed in the latest charter school legislation and overseen by ODE, factor in quality, compliance and academic performance.

Sponsors that don't score well in those areas could face losing their ability to continue sponsoring schools.

Sponsors have said they're prepared for poor showings in the performance category because of lower state test scores across the board. Unlike traditional schools, charters were not granted safe harbor from impacts related to report card results reflecting new standardized exams.

In addition to calling out lawmakers for failing to provide them with safe harbor, sponsors have also recently complained that it will be impossible to meet deadlines for producing compliance documentation that was requested by ODE as a result of the new laws. (See Gongwer Ohio Report, June 30, 2016)

"I think that House Bill 2 is being revered by some," Mr. Adler said in an interview. "I see it as all compliance, compliance, compliance. It is 106 pages of rules, regulations and mandates that just make it more difficult to operate and improve achievement."

Chad Aldis, vice president of Ohio policy and advocacy for the Thomas B. Fordham Institute, agreed that it is likely sponsors gave consideration to the new evaluations when making closure decisions this year.

But, he said he's hopeful that any needed tweaks can be made to both the laws and as the new procedures play out over the next few years.

"There are a lot of good charter schools and we wouldn't want to see them closed as a result of this and you also wouldn't want to see sponsors so afraid of the provisions that they won't open potentially new, strong, innovative schools that could really make a difference for kids," Mr. Aldis said.

"I think what we're in right now is a little bit of a correction phase and hopefully sponsors will have confidence in their decisions and continue to open schools when the school is likely to be successful."

Five sponsors in the state have plans to open 10 start-up schools for the 2016-17 school year, according to ODE. (Potential New Schools List)

ODE's Office of School Sponsorship will be evaluated with all other sponsors, but is not impacted by the new rating system that could prohibit a sponsor from taking on new schools or put a sponsor out of business.

However, the office took a more discerning approach this year when reviewing applications for taking over existing schools or aiding start-up operations.

"A top priority for the Ohio Department of Education is a strong system of accountability for all schools in our state, including charter schools and their sponsors," agency spokeswoman Brittany Halpin said. "Provisions in the recent charter school reform

legislation strengthen the department's ability to support high quality options for the state's students."

In the past, the department was required to sponsor any school that followed the application process correctly, but new laws allow it to deny schools that aren't meeting certain standards.

Mr. Aldis called the update that allowed it to decline all of this year's applications a "smart change."

"If (ODE) is going to sponsor schools, it should absolutely be able to determine whether the schools are performing well before it just takes one on," he said in an interview.

It's possible schools will continue to close at the same pace in coming years because House Bill 2 also put in place some guardrails to limit so-called "sponsor-hopping," Mr. Aldis said.

Updated laws prohibit charter schools from seeking new sponsorship if they don't meet fiscal management or performance requirements.

"The ability for lower performing schools to change sponsors is not what it used to be, so when you see the overall number of closures, some of those in the past might have gone on to a different sponsor and that can't happen now," he said.

### **Medicaid Underspending Driven By Increased Enrollment In Expansion Program, Administration Says**

The Kasich administration credits an improving economy and a more accurate eligibility determination system with driving nearly \$1.3 billion in Medicaid underspending last fiscal year.

The Medicaid program finished the year spending about \$926 million less than expected from the General Revenue Fund, and nearly \$1.3 billion less than expected from all funds, according to the Governor's Office of Health Transformation.

The underspending continues a longtime trend in the program covering multiple administrations. (See Gongwer Ohio Report, July 6, 2016)

According to OHT, the program enrolled about 3 million Ohioans on an average monthly basis during fiscal year 2016, about 32,000 below projections. While the overall enrollment was below projections, the number of people enrolled in the expansion group, which is completely funded by federal dollars, increased by 26,000.

Meanwhile, the number of people enrolled in the traditional program, which is partially funded by the state, was 58,000 below the estimate, according to OHT.

The administration said part of this shift is due to an improving economy - as people make more money, they move out of traditional Medicaid and into the expansion group, which includes people making up to 138% of the federal poverty level.

OHT also credited a new and more accurate system to determine eligibility, which assigns new enrollees to the proper category and moves them off the program as their finances improve.

Total Medicaid spending from all funding sources was \$25.3 billion, of which nearly \$17 billion came through the General Revenue Fund.

The federal share of Medicaid spending last fiscal year was \$715 million, or 3.9%, below the original budget estimate, while the state's share was \$550 million, or 6.7%, below the original estimate, according to OHT.

In fiscal year 2015, the Department of Medicaid reported total Medicaid spending of \$1.9 billion below the original budget estimate.

That year, enrollment for the expansion group was more than 152,000 above the original estimate, while enrollment in the traditional program was 192,000 below estimate.

#### **November Ballot Won't Include Any Citizen-Initiated Amendments, Statutes; Some Groups Set Sights On 2017**

No citizen-initiated issues will appear on November's ballot, Secretary of State Jon Husted announced Thursday, a day after the deadline to file petitions for proposed constitutional amendments and initiated statutes.

A few high-profile efforts to reach the ballot were made this year, including two related to medical marijuana and one related to prescription drug prices, but none of those issues found a place on the ballot in November.

Backers of an initiated statute designed to lower the cost of prescription drugs will aim for 2017, said Michael Weinstein, president of the California-based AIDS Healthcare Foundation, which supported the measure.

Supporters of the proposal, called the Ohio Drug Price Relief Act, initially gathered enough signatures to bring it before the legislature, where no action was taken, but a review of those petitions by the secretary of state's office delayed the collection of signatures, prompting lawsuits by the initiated statute's supporters in state and federal courts. Both cases were dismissed after Mr. Husted transmitted the proposal to the General Assembly. (See Gongwer Ohio Report, April 19, 2016)

In an email, Mr. Weinstein said the proposal will have to wait for next year after the delays.

"We will go for 2017," he said. "We are collecting and will submit sufficient signatures within the 90 days allowed."

Another lawsuit, filed by industry groups challenging the petition signatures gathered for the initiated statute, is ongoing. (See Gongwer Ohio Report, June 8, 2016)

A proposal dealing with lawmaker lobbying, called Ethics First - You Decide Ohio, also made a push for the ballot. The Ballot Board divided the issue into three different issues, a decision the amendment's backers challenged in the Ohio Supreme Court. The Court dismissed that challenge in May. (See Gongwer Ohio Report, May 24, 2016)

Ronald Alban, one of the proposal's backers, said in an email that they have no intention of moving forward with the proposal.

Two citizen-initiated proposals to legalize medical marijuana, one backed by the Washington-based Marijuana Policy Project and the other by a group called Grassroots Ohio, will also not appear on the ballot after an early push in the wake of last year's failed Issue 3 vote.

The MPP-backed Ohioans for Medical Marijuana group announced it would not pursue the ballot after lawmakers passed a bill (HB 523) in May creating a medical marijuana system. (See Gongwer Ohio Report, May 31, 2016)

Backers of Grassroots Ohio have said they are pushing forward with their proposal, which would create a constitutional right to possess marijuana for a medical purpose, with an eye on the 2017 ballot.

### **High Court Set To Hear Two Death Penalty Cases, Along With Four Other Cases Next Week**

The Ohio Supreme Court will hear appeals in two death penalty cases next week.

In one case, an Akron man convicted of the 2011 murders of his children's mother and her boyfriend plans to raise 14 legal claims in appealing both his sentence and conviction.

David Spaulding, who was sentenced to death for the 2011 murder of Erica Singleton and Ernest Thomas, will argue that he received ineffective legal counsel because both of his attorneys were not present for all proceedings in the case, that a witness' statement should have been suppressed and that he was denied legal counsel during interrogation.

Ms. Singleton obtained a civil protection order against Mr. Spaulding on Dec. 1, 2011, following a string of domestic violence incidents. However, two weeks later, Mr. Spaulding showed up at the place Ms. Singleton was staying with Mr. Thomas. He first shot another tenant, Patrick Griffin, who was paralyzed by the shooting, before killing Ms. Singleton and Mr. Thomas in their driveway.

In January 2013, a jury convicted Mr. Spaulding of aggravated murder, attempted murder and violation of a protection order.

In the second case, a Medina County man will argue that seven claims of legal and procedural errors should afford him a new trial.

Steven Cepec will claim that, among other issues, he was prejudiced by statements in court about a prior burglary conviction, that the trial court should have held a hearing on the competency of a witness and that his constitutional rights were violated because police continued to question him after he asked for a lawyer.

Mr. Cepec was convicted of murder, aggravated robbery and aggravated burglary following the 2010 death of Frank Munz, who was found bludgeoned with a hammer and strangled with a lamp cord.

Police arrived on the scene while Mr. Cepec was still in the home after receiving a call from Mr. Munz's nephew, Paul Munz, whose testimony at trial was called into question in the appeal. Upon arrival by the police, Mr. Cepec fled on foot. He was later found nearby hiding under a bush, the court reported.

The high court will hear four other cases next week:

- In *re Application of Buckeye Wind*, the high court will hear arguments from Champaign County residents that a hearing should be held on amended construction plans for the state's first wind-powered generation facility. The Power Siting Board approved a construction application in 2010 and the developer proposed revision to the plans in 2013.
- In *Disciplinary Counsel v. Joltin*, disciplinary counsel will object to the professional conduct board's proposed sanctions on a Canfield attorney found to have mishandled client funds, mismanaged his client trust account and not fully cooperated with the investigation. The professional conduct board proposed a sanction of two years, with 18 months stayed under certain conditions. However, disciplinary counsel will argue for an indefinite suspension.
- In *Defiance County v. Testa*, the court will consider whether the tax commissioner lawfully denied a Defiance County commissioner's request to transfer \$2.5 million from the county landfill fund to pay for emergency repairs to the county courthouse and to make renovations to meet federal Americans with Disabilities Act requirements.
- In *Foley v. University of Dayton*, the court will decide what the statute of limitations is for filing a negligent misidentification claim and whether absolute privilege or qualified privilege shield the defendants' statements to law enforcement.

**June Revenue Down At Most Casinos, All Racinos**

Overall revenue at Ohio's four casinos was down in June, with three of them seeing decreases from May, according to the Casino Control Commission.

The four casinos took in \$62.9 million in revenue in June, down from \$66.5 million in May and the lowest total of the year so far, according to revenue reports. Last June, the casinos brought in \$63.5 million, the lowest monthly total of the year.

Video lottery terminals at the state's racinos brought in a total of \$70.7 million in June, down from \$78.2 million in May. They ended the fiscal year with nearly \$869 million in revenue, up from \$773 million in fiscal year 2015. (VLT reports)

JACK Cleveland was the only Ohio casino to see an uptick in revenue in June, bringing in \$16.3 million compared to just over \$16 million in May, according to revenue reports. The casino was closed for 40 hours in May while it rebranded from Horseshoe Cleveland to JACK Cleveland.

Of JACK Cleveland's revenue, \$8.7 million came from table games, while \$7.6 came from slot machines, according to the report. The casino's monthly revenue was up nearly \$2 million from \$14.4 million in June 2015.

JACK Cincinnati saw the biggest drop in revenue in June, bringing in \$14.1 million compared to \$16.2 million the month before. JACK Cincinnati was closed for 40 hours in June to rebrand from Horseshoe Cincinnati. Of its revenue in June, \$9.4 million came from slot machines and \$4.6 million came from table games. Last June, the casino brought in \$16.1 million.

Hollywood Columbus saw revenue drop by more than \$860,000, falling from nearly \$17.8 million in May to more than \$16.9 million in June. Slot machines accounted for \$11.8 million in revenue, while table games accounted for \$5.1 million. Last June, the casino's revenue was \$16.4 million.

Hollywood Toledo saw revenue drop nearly \$900,000 to \$15.6 million in June, with more than \$13 million coming from slot machines and \$2.6 million coming from table games. Last June, the casino took in \$16.6 million.

**Racinos:** VLT revenue at all seven of the states racinos declined from May to June, with Scioto Downs seeing the largest decrease, dropping nearly \$1.7 million from just under \$13.5 million in May to just under \$11.8 million in June.

At Hard Rock Rocksino Northfield Park, revenue fell more than \$1.5 million to \$17.9 million in June, while at Miami Valley Gaming it fell by nearly \$1.5 million to \$10.8 million.

Revenue at JACK Thistledown Racino fell by more than \$941,000 to \$9.1 million. At Hollywood Mahoning Valley Race Course, it fell by nearly \$806,000 to \$7.6 million. Revenue at Hollywood Gaming Dayton Raceway fell more than \$693,000 to just under \$7 million in June, and revenue at Belterra Park fell more than \$457,000 to \$6.4 million.

## **Cleveland, Akron To Join White House Mentorship Initiative**

U.S. Sen Sherrod Brown will be joined by administration officials this week in Northeast Ohio to expand an initiative that aims to provide mentoring and opportunities for boys and young men of color.

My Brother's Keeper, a program launched by President Obama in 2014, is coming to Akron and Cleveland Friday, the Avon Democrat announced in a Thursday call with reporters.

They will join Dayton, Columbus, Massillon, East Cleveland and Berea in becoming MBK communities that provide mentorship and resources. Sen. Brown said Cincinnati is also preparing to take part in the initiative.

"It's up to all of us to ensure that all our children - regardless of their zip code or the color of their skin - have the opportunity to succeed," he said. "And I hope more cities across our state will accept the My Brother's Keeper Challenge, and work toward that goal."

Nearly 250 communities have agreed to be part of the MBK Challenge, said Broderick Johnson, chair of president's MBK Task Force. Partnerships in those communities have resulted in more than \$600 million in grants and in-kind resources.

One of the latest drives of the initiative is to link sixth and ninth graders with mentors who can provide support and encouragement to go to school and work toward graduation, he said. Cleveland will be among 30 communities in the country that will provide those mentors focused on reducing chronic absences from school.

Federal agencies also recently partnered to launch the Second Chance Pell pilot program under the MBK umbrella, Mr. Johnson said. It allows 67 colleges and universities - including Ashland University - to provide Pell Grants to 12,000 inmates.

"We're working to make sure the various departments of the federal government that are part of the MBK Task Force continue to look at the programs they have and collaborate on programs to make sure that we can better target federal resources and partnerships with the private sector so that every child in this country has a clear pathway to success, really from crib through college and career," he said during the call.

MBK Mentor Quinn Howard said the program is working in Dayton to provide positive role models for young men of color.

The starting point for Dayton's mentorship program is to help youth "see themselves as contributors to the community," he said.

"Young men in our community need to see positive role models that they can emulate," Mr. Howard said. "It is important not only to provide young men with direction and guidance but to also build nurturing relationships through listening and understanding."

Mentoring young men with basic fundamental values will hopefully provide them with a sense of purpose that can help them succeed in life."

### **In Cincinnati, Trump Expands On Controversies; ODP Blasts Billionaire's Business Record**

Before Donald Trump took the stage in Cincinnati Wednesday evening, he was expected to use the speech to hammer Hillary Clinton over recent events pertaining to her use of a private email server.

Instead, he spent most of his time stoking further controversy over his recent comments on Saddam Hussein and doubling down in his defense of an image he tweeted that has been deemed to be anti-Semitic.

The GOP presumptive nominee did strike out at Ms. Clinton in his stream-of-consciousness remarks, deriding an FBI recommendation that she not be charged and, in a tangent, likening her to a mosquito when one landed on his lectern.

"It's a disgrace," he said. "She has got bad judgment."

But the candidate spent more than two-thirds of his more than one-hour long speech seeking to explain his own controversies in recent days, effectively fanning the media attention those remarks have received.

That includes controversy over Mr. Trump's Saturday tweet featuring a picture of Ms. Clinton against a backdrop of dollar bills with a six-pointed star containing the text "Most corrupt politician ever."

The tweet drew criticism from those contending the graphic is rooted in anti-Semitism, but Mr. Trump has since said the star is less a Star of David and more of a "sheriff's badge" and that it is the media, not his campaign, that is being prejudicial.

"(The media's) profiling," he told the Sharonville crowd. "Not us. Because why are they bringing this up?"

Mr. Trump, in his most expansive remarks on the topic yet, said he was disappointed his staff took down the tweet.

He also expanded on his prior remarks at a Tuesday rally and in interviews in which he seemingly praised Saddam Hussein for dispatching terrorists. House Speaker Paul Ryan and others have criticized the remarks.

In his comments Wednesday, Mr. Trump said it was inaccurate to characterize his comments as "praise" for the fallen dictator.

"I said Saddam Hussein is a bad man...but he did one thing well: he killed terrorists," Mr. Trump said. "I wake up and turn on the television: 'Donald Trump loves Saddam Hussein.' That's not what I said."

In a one-on-one interview with the Cincinnati Enquirer, Mr. Trump said, "That's not praising Saddam Hussein. I would say maybe it's the opposite."

The interview seemingly led a Trump spokeswoman to attempt to "dress down" the reporter for "disrespectful questioning," according to tweets of the exchange from the journalist.

"I said Trump's the GOP candidate for president and tough questions are part of the job," the reporter tweeted. "(Trump press secretary Hope Hicks) said as a candidate he deserves respect."

Former House Speaker Newt Gingrich, a potential VP pick, also appeared at the rally, though his appearance was overshadowed in media reports by Mr. Trump's speech.

He accused the Clintons of corruption and questioned the timing of the recent FBI announcement. He also took a swipe at Gov. John Kasich, who has declined to endorse the billionaire, saying that although the governor "is a good friend of mine, it's about time he got on the Trump bandwagon."

**Democrats:** State Party Chairman David Pepper and Columbus City Councilmember Jaiza Page held a press conference on the steps of Columbus City Hall Thursday, responding to Mr. Trump's remarks and seeking to cast him as a failed businessman.

Mr. Pepper contrasted Mr. Trump's Cincinnati appearance with Ms. Clinton's Ohio visit last week, saying of Mr. Trump's speech "I don't even know how to characterize what a disturbing speech it was." (See Gongwer Ohio Report, June 27, 2016)

Organized by the Clinton campaign, the event was the latest in a line of attacks from Clinton supporters on Mr. Trump's business dealings in Atlantic City, which they contend includes bankruptcies, failures to pay contractors and the loss of hundreds of jobs.

Mr. Trump has promised to bring the same level of success to running the country as he has to his business ventures.

"(In Atlantic City,) Trump came out on top but the city didn't," Mr. Pepper said. "It's not just Atlantic City. This is a pattern over the years all around the country.... We just can't let Donald Trump do to Ohio, do to Columbus, what he did to Atlantic City and what he's done to innocent Americans all over the state through his business actions and scams."

**Court Briefs: Buckeye Institute Files Brief In 'Golden Week' Lawsuit; Former Mayor Legally Fired From Lottery Commission Post...**

The Buckeye Institute has joined the battle over whether Ohioans should have a five-day window in which they can register to vote and cast ballots on the same day.

The group has filed a brief in the U.S. Sixth District Court of Appeals supporting Secretary of State Jon Husted's challenge to a lower court ruling that found the elimination of "Golden Week" to be a violation of the Voting Rights Act. (See Gongwer Ohio Report, May 24, 2016)

U.S. District Court Judge Michael Watson found that the elimination of Golden Week disproportionately impacted black voters in Ohio.

The Buckeye Institute, however, challenged that finding in its brief.

"The fact that African Americans previously used Golden Week at slightly higher rates does not suggest that they will somehow stop participating under the new law. All the minority voters who voted in Golden Week are ready and able to vote in the current four-week period, and there is no evidence suggesting they will not avail themselves of that broad opportunity," it reads.

Representing The Buckeye Institute in the case is Michael Carvin, an election and appellate law expert with the global Jones Day law firm.

"Plaintiffs argue that a federal law that has been on the books for 34 years suddenly requires Ohio to extend its already generous early voting and requires Ohio to permit same-day registration. The law does no such things," Mr. Carvin said in a statement. "Nor does it invalidate the laws of the 40 states that offer fewer voting days than Ohio."

**Firing:** The Court of Claims has found that former Seven Hills Mayor David Bentkowski was legally terminated from his post at the Lottery Commission.

Mr. Bentkowski, who was terminated in November 2012, alleged that his supervisor and the lottery's director of human resources engaged in discriminatory practices. He claimed Elizabeth Popadiuk made discriminatory remarks about Lottery Commission employees, which she denied, the high court reported.

Court of Claims Judge Patrick McGrath found that Mr. Bentkowski failed to prove that his firing was payback for claiming the employer was engaged in discriminating practices.

**Pro Bono Work:** Ohio attorneys provided pro bono work in 2015 to the tune of \$10.3 million, the Ohio Legal Assistance Foundation and the Ohio Supreme Court reported Thursday.

More than 4,300 attorneys reported pro bono activity in 2015, accounting for about 76,300 hours of free legal service.

Another \$406,000 was donated to organizations that provide legal services to low-income Ohioans.

"We were excited that the number of attorneys who voluntarily reported their pro bono work more than doubled from last year," OLAF's Pro Bono and Communications Director Jane Taylor said in a statement. "I believe these results reflect the Court's continuing emphasis on access to justice for all and its strong commitment to ensuring that every Ohioan can get legal help, regardless of income."

### **Capitol Scene: Fadel Appointed Ohio Insurance Institute President**

Longtime Ohio Insurance Institute staffer Dean Fadel will serve as the association's newest president, OII Board Chairman Tim Timmel announced Thursday.

Mr. Fadel, who has been with OII since 1988 and currently serves as its vice president of government relations, will transition to the new position over the next few weeks, according to the board.

He'll replace President Dan Kelso, who recently announced retirement plans. Mr. Kelso had led the association since 1989, when it merged with the Insurance Federation of Ohio, which he had overseen since 1977.

"We're confident that the association will continue making great strides on behalf of its members, Ohio's property/casualty (P/C) insurance companies, with a focus on maintaining the stable, affordable insurance environment that Ohio consumers have experienced for decades," Mr. Timmel said of the transition.

### **Supplemental Agency Calendar**

**Wednesday, July 13**

**Public Utilities Commission of Ohio, 180 E. Broad St., 11th Fl., Columbus, 1:30 p.m.**

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## Daily Activity Planner for Friday, July 8

### Legislative Committees

No legislative committees scheduled.

### Agency Calendar

**Board of Building Standards, Division of Industrial Compliance, 6606 Tussing Road, Training Room, Reynoldsburg, 10 a.m. (The Code Committee will meet immediately after the full board.)**

**State Emergency Response Commission, 2855 W. Dublin-Granville Rd., Columbus, 1:15 p.m.**

### Event Planner

**Rep. Bill Reineke (R-Tiffin) golf outing fundraiser, Mohawk Golf and Country Club, 4399 S. State Route 231, Tiffin, 8:30 a.m., (8:30am Light Breakfast and Registration; 10:00am Shotgun Start. Major Sponsor: \$2,500; Registration Sponsor: \$1,500; Scoreboard Sponsor: \$750; Foursome: \$600; Driving Range Sponsor: \$500; Beverage Cart Sponsor: \$250; Individual Golfer: \$175; Hole Sponsor: \$150 to Friends of Bill Reineke)**  
**Summer Fridays at the Statehouse concert, West Steps, Statehouse, Columbus, 12 p.m., (RMT)**

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**From:** The Buckeye Institute  
**Sent:** Tuesday, July 12, 2016 10:29 AM  
**To:** Rep48  
**Subject:** Ohio voters get a DC super lawyer

## News Alert

Ohio's voting integrity is being threatened. And to ensure every Ohioan's vote counts, The Buckeye Institute is going to the courts with one of America's top lawyers.

This month, The Buckeye Institute's Legal Center filed two amicus briefs to the U.S. Court of Appeals for the Sixth Circuit to defend Ohio's generous and nation-leading early voting laws. Representing Buckeye is Michael Carvin, a Washington, D.C. "super lawyer" who has argued numerous cases before the U.S. Supreme Court, including a challenge to the Affordable Care Act.

### **Period for Absentee Voting**

Buckeye's first filing supports Ohio's absentee voting period. On May 24, a federal judge overturned an Ohio General Assembly law, which set the state's early voting at 29 days. Challengers alleged that federal law requires Ohio to offer even more days of early voting. Secretary of State Jon Husted, who oversees Ohio's elections, noted that Ohio's 29-day period for casting absentee ballots puts the state in the top 10 nationwide for early voting.

### **Proof for Absentee Voting**

The more recent filing by The Buckeye Institute challenges a judge's ruling that would allow voters to cast absentee and provisional ballots without accurately providing their address and some form of non-photo ID, which is

among the least restrictive identification requirements in the country. According to the judge, Ohio must repeal that requirement because it makes voting "less convenient" -- a decision The Buckeye Institute calls "stunning."

## **What Comes Next**

The Buckeye Institute is not standing idly by while judges ignore legal precedent and cast aside state law intended to protect all voters. Its two legal filings will be considered next month, as both cases are expected to be argued the first week of August.

"With Ohio being the quintessential swing state, all eyes will be on our voting process this November," Robert Alt, president and CEO of The Buckeye Institute, said. "The Buckeye Institute is making sure all Ohioans, and all Americans, can have full confidence in the integrity of each ballot that is cast in our state."

# # #

Founded in 1989, The Buckeye Institute is an independent research and educational institution--a think tank--whose mission is to advance free-market public policy in the states.

The Buckeye Institute, 88 East Broad Street,  
Suite 1120, Columbus, OH 43215

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Sent by [info@buckeyeinstitute.org](mailto:info@buckeyeinstitute.org)

**From:** Rep48  
**Sent:** Thursday, July 14, 2016 11:01 AM  
**To:** 'Greg Lawson'  
**Subject:** RE: Meeting Request

Greg,

Would you be willing to meet with Representative Schuring's Legislative Aide, Justin Zielinski on 7/19 at 11:00am?

Best,

Abby

Abby Schafer  
Legislative Fellow  
Office of Representative Kirk Schuring  
Ohio House of Representatives, District 48  
77 South High Street  
Columbus, OH 43215  
614-752-2438

**From:** Greg Lawson [mailto:[greg@buckeyeinstitute.org](mailto:greg@buckeyeinstitute.org)]  
**Sent:** Thursday, June 09, 2016 4:54 PM  
**To:** Rep48  
**Subject:** Re: Meeting Request

Thank you.

Greg R. Lawson  
*Statehouse Liaison and Policy Analyst*

**The Buckeye Institute**  
88 East Broad Street, Suite 1120 | Columbus, Ohio 43215  
[\(614\) 224-4422](tel:(614)224-4422) | [BuckeyeInstitute.org](http://BuckeyeInstitute.org)

On Thu, Jun 9, 2016 at 4:48 PM, [Rep48@ohiohouse.gov](mailto:Rep48@ohiohouse.gov) <[Rep48@ohiohouse.gov](mailto:Rep48@ohiohouse.gov)> wrote:

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Legislative Fellow

Office of Representative Kirk Schuring

Ohio House of Representatives, District 48

77 South High Street

Columbus, OH 43215

614-752-2438

**From:** Greg Lawson [mailto:[ggreg@buckeyeinstitute.org](mailto:ggreg@buckeyeinstitute.org)]

**Sent:** Thursday, June 09, 2016 3:41 PM

**To:** Rep48

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Greg R. Lawson

*Statehouse Liaison and Policy Analyst*

**The Buckeye Institute**

88 East Broad Street, Suite 1120 | Columbus, Ohio 43215

(614) 224-4422 | BuckeyeInstitute.org

**From:** Greg Lawson  
**Sent:** Thursday, July 14, 2016 12:00 PM  
**To:** Rep48  
**Subject:** Re: Meeting Request

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Abby:

I will probably be in Cleveland most of that day, but am open from Wednesday on.

Greg R. Lawson  
*Senior Policy Analyst*

**The Buckeye Institute**  
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(614) 224-4422 | BuckeyeInstitute.org

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**Sent:** Thursday, July 14, 2016 2:21 PM  
**To:** 'Greg Lawson'  
**Subject:** RE: Meeting Request

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Please let me know if that date and time fit your schedule.

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88 East Broad Street, Suite 1120 | Columbus, Ohio 43215

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**From:** Greg Lawson  
**Sent:** Thursday, July 14, 2016 3:08 PM  
**To:** Rep48  
**Subject:** Re: Meeting Request

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

I have it down. If anything comes up, I will contact the office. Thank you very much!

Greg R. Lawson  
*Senior Policy Analyst*

**The Buckeye Institute**  
88 East Broad Street, Suite 1120 | Columbus, Ohio 43215  
(614) 224-4422 | [BuckeyeInstitute.org](http://BuckeyeInstitute.org)

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Greg R. Lawson

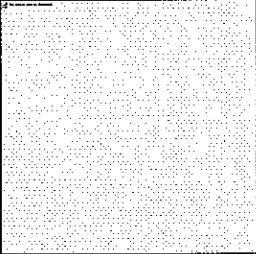
*Statehouse Liaison and Policy Analyst*

**The Buckeye Institute**

88 East Broad Street, Suite 1120 | Columbus, Ohio 43215

(614) 224-4422 | BuckeyeInstitute.org

**From:** The Buckeye Institute  
**Sent:** Sunday, July 17, 2016 2:29 PM  
**To:** Rep48  
**Subject:** Criminal intent should matter...even if you're Hillary



## In the News

Dear Friends,

As you wrap up your weekend, I wanted to send you my column in Friday's Columbus Dispatch on why Hillary Clinton should have been prosecuted over her handling of top-secret government emails.

Ohio provides a good lesson for both the FBI director and former secretary of state on what it means to follow the clear intent of the law. As I wrote in *The Dispatch*:

FBI Director James Comey's rationale for not prosecuting Hillary Clinton over her private storage of top-secret emails represents a dismissal of the law rather than the enforcement of it.

Traditionally, to convict someone of a crime, a prosecutor must show two things: that the accused committed a guilty act and that they did so with a guilty mind (or with criminal intent).

Legislatures should always consider the appropriate intent standard for crimes it promulgates so that only the intended acts and actors are punished. Ohioans get this. That is why The Buckeye Institute led the way for -- and state policymakers adopted -- the first and best criminal intent reform in the nation.

You can read the full story on *The Dispatch's* website by [clicking here](#).

I hope you enjoy it, and will continue supporting The Buckeye Institute's work to ensure that, at least in Ohio, we are governed by the rule of law.

Best,

Daniel J. Dew  
*Criminal Justice Fellow*  
**The Buckeye Institute**  
88 East Broad Street, Suite 1120 | Columbus, Ohio 43215  
(614) 224-4422 | [BuckeyeInstitute.org](http://BuckeyeInstitute.org)

# # #

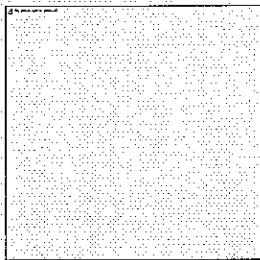
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Sent by [info@buckeyeinstitute.org](mailto:info@buckeyeinstitute.org)

**From:** The Buckeye Institute  
**Sent:** Thursday, July 21, 2016 1:52 PM  
**To:** Rep48  
**Subject:** From Cleveland to Washington



## In the News

While the nation's eyes are on Ohio, The Buckeye Institute is making sure policymakers are staying focused on free-market reforms and good governance.

Buckeye's president and CEO, Robert Alt, and senior policy analyst, Greg Lawson, made state and national news this week for their efforts to promote Obamacare reforms, government transparency, and sensible criminal justice policies. Click the links below for the full stories:

*Washington Examiner*

**Here's what happened at Grover Norquist's private RNC meeting**

[Click here for the story.](#)

*The Columbus Dispatch*

**Worthington to ask residents to vote on pay for council members**

[Click here for the article.](#)

*The Toledo Blade*

**Some Republicans push criminal-justice reform in Cleveland**

[Click here for the story.](#)

Buckeye's prominent mentions at the local, state, and national levels are a testament to the power of our ideas, to the scope of our work, and to the impact that we are having. As all eyes continue to be on Ohio, we will make sure that free-market solutions are front and center as well. Thank you again for your support, which makes all of our successes possible.

# # #

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Sent by [info@buckeyeinstitute.org](mailto:info@buckeyeinstitute.org)

**From:** The Buckeye Institute  
**Sent:** Friday, July 22, 2016 9:46 AM  
**To:** Rep48  
**Subject:** Ohio economy stalls, latest jobs report shows

## Buckeye Institute News Alert

Contact: Jeff Reed  
Director of Communications  
The Buckeye Institute  
614-224-4422  
jeff@buckeyeinstitute.org

FOR IMMEDIATE RELEASE  
Friday, July 22, 2016

### **Ohio economy stalls in June, Buckeye Institute expert concerned by state government job growth**

COLUMBUS -- The number of people entering Ohio's workforce fell for the first time in eight months, according to today's June jobs report. A policy analyst at The Buckeye Institute says policymakers should be concerned when the most job gains came from state government.

Although Ohio's unemployment rate dropped slightly to 5.0 percent from 5.1 percent in May, the Ohio Department of Job and Family Services' June report showed, The Buckeye Institute's Joe Nichols said that is a result of labor force participation dropping to 63.4 percent from 63.6 percent -- meaning fewer Ohioans were looking for work in June.

"After a recent surge of Ohioans into the job market, it appears new job seekers are waiting for more opportunities to become available," Nichols said. "When state government is the leader in

new jobs, that is a bad sign that Ohio's real economic engine -- private sector employers -- has stalled."

The number of jobs state government added in June was +4,100. Mining and logging (-300) and real estate (-2,000) suffered the most severe job losses.

Ohio still outpaces the national average in labor force participation of 62.7 percent. Labor force participation comprises non-institutionalized Ohioans between the ages of 16 and 65. Nichols said that Ohio's pro-economic policies have contributed to that growth over the past eight months and can do so in the future.

"Ohio's recently announced \$1.1 billion budget gap shows how serious it is that we get our economy up to full speed," Nichols said. "State leaders will need to consider policies that fill the budget hole but not at the expense of Ohioans trying to find work and employers who want to create new jobs."

The Buckeye Institute analyzes Ohio's unemployment rate to identify policy solutions for increasing job opportunities and strengthening the state economy.

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Sent by [jeff@buckeyeinstitute.org](mailto:jeff@buckeyeinstitute.org)

**From:** The Buckeye Institute  
**Sent:** Friday, July 29, 2016 12:59 PM  
**To:** Rep48  
**Subject:** Come fly with me, but only if you have an FAA Part 119 certificate

## Buckeye Institute News Alert

Contact: Jeff Reed  
Director of Communications  
The Buckeye Institute  
614-224-4422  
[jeff@buckeyeinstitute.org](mailto:jeff@buckeyeinstitute.org)

FOR IMMEDIATE RELEASE  
Friday, July 29, 2016

### Buckeye to U.S. Supreme Court: Why are Europe's skies freer than America's skies?

COLUMBUS -- Pilots have more freedom to "Uber up in the air" in Europe than they do in America because of a 2015 order by the Federal Aviation Administration (FAA). Today, The Buckeye Institute's Legal Center urged the Supreme Court of the United States to reverse the FAA's backward interpretation of the law and unleash the potential of the sharing economy.

For decades, the FAA's "Expense-Sharing Rule" allowed private airplane pilots to post their flight plans on bulletin boards, enabling passengers to join their flights by sharing fuel costs. When Flytenow, Inc. put that practice online, the FAA deemed it illegal, which the U.S. Court of Appeals for the D.C. Circuit upheld by deferring to the agency. Buckeye's legal brief challenges that ruling.

"Being home to the Wright brothers, we're proud to represent Ohio at the U.S. Supreme Court and bring American flight into the 21st century," Robert Alt, president and CEO of The Buckeye

Institute, said. "If Europeans can have 'Uber up in the air' so, too, should Americans benefit from such cost-sharing services."

In Flytenow, Inc. v. Federal Aviation Administration, The Buckeye Institute's brief argues that the FAA's order is arbitrary, antiquated, and inconsistent with its longstanding "Expense-Sharing Rule" for non-commercial flights.

"Why should pilots be able to speak on index cards but not on the internet?" Alt asked. "The only place this kind of rule makes sense is in a federal agency."

Flytenow, Inc. has discontinued its operations since the Court of Appeals' ruling. The U.S. Supreme Court will decide whether to take the case after it reconvenes in October.

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Sent by [jeff@buckeyeinstitute.org](mailto:jeff@buckeyeinstitute.org)

**From:** The Buckeye Institute  
**Sent:** Friday, August 5, 2016 8:39 AM  
**To:** Rep48  
**Subject:** Protecting your vote and making your voice heard

## News Alert

### Making Your Voice Heard on Health Care

Other states have attempted to lower Medicaid costs by equipping recipients with health savings accounts (HSAs). A "Healthy Ohio" proposal seeks to do this while making sure Medicaid participants pay a reasonable premium. An Ohio-specific innovation also encourages HSA recipients to move on to private plans through "bridge" accounts, thus reducing dependence on Medicaid. To do this, Ohio needs a waiver from the federal government.

You can submit public comments to the federal government on this proposal, which could affect Ohio's ability to adopt its "Healthy Ohio" plan. [Click here to submit your comments by Sunday, August 7.](#)

### Ensuring the Integrity of Ohio Ballots

When a federal judge declared that a 34-year-old federal law suddenly required Ohio to expand early voting, The Buckeye Institute's Legal Center took action. Filing an amicus brief with "super lawyer" Michael Carvin, Buckeye experts are defending Ohio's early voting law from those who would have the courts rewrite the law and thereby endanger the integrity of Ohio ballots.

On August 2, the U.S. Court of Appeals for the Sixth Circuit heard oral arguments on the case. To read The Buckeye Institute's legal brief, [click here](#).

### Protecting Absentee and Provisional Ballots

In a stunning decision, another federal judge ruled against Ohio's law requiring voters to provide their address and some form of *non-photo* ID when casting absentee and provisional ballots. The judge's reasoning? It makes voting "less convenient." But, as Buckeye noted in yet another page-turner of a brief, Ohio's non-photo ID requirement is far less restrictive than other states' rules; moreover, Ohio actually has *expanded* its early voting opportunities.

Oral arguments for that case took place yesterday, August 4. Stay tuned: It is anticipated that both cases will be decided before the November elections.

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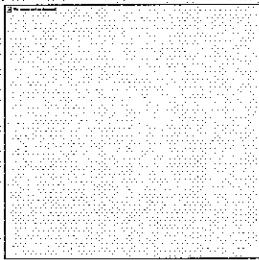
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Sent by [info@buckeyeinstitute.org](mailto:info@buckeyeinstitute.org)

**From:** The Buckeye Institute  
**Sent:** Wednesday, August 10, 2016 2:22 PM  
**To:** Rep48  
**Subject:** Can your local government share?



## In the News

Dear Friend,

Sharing government-owned equipment on the local level is a great way to increase efficiencies and save taxpayers money. It's something The Buckeye Institute has been promoting for years, and Ohio's most populated county just got on board.

As reported in today's *Plain Dealer*, Cuyahoga County will participate in Share Ohio, a program led by Auditor of State Dave Yost enabling communities to share, rather than buy, equipment for public projects. Now Cuyahoga localities will be able to use the county's asphalt pavers, dump trucks, and other tools.

Every Ohio county and community should take notice. As I wrote recently in a story picked up by the American Enterprise Institute, Ohio faces a \$1.1 billion hole in its next biennium budget, \$400 million of which will affect localities and transit authorities. Local officials should not expect state subsidies to fill that gap. They'll have to find savings.

That's where services like Share Ohio can help. In a 2014 Buckeye report, I noted how subsidies and higher taxes will only impede the real catalyst that moves our communities forward:

Ultimately, the long-term fiscal health of the state's local governments will be determined by Ohio's economic growth, not by perpetual state subsidies or the redistributive preferences embodied in revenue sharing. By slowly

beginning to reform Ohio's revenue sharing system, Ohio policymakers are embracing a new approach to government spending that will empower local taxpayers to assert greater control over local decisions and facilitate local governments' rethinking on how they operate.

Cuyahoga County officials are rethinking their approach to managing local government. By following their lead, other Ohio counties can share in their savings and success.

Best,

Greg R. Lawson  
*Senior Policy Analyst*  
**The Buckeye Institute**  
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**From:** The Buckeye Institute  
**Sent:** Friday, August 19, 2016 9:50 AM  
**To:** Rep48  
**Subject:** Ohio labor force suffers biggest hit in 26 years

## Buckeye Institute News Alert

Contact: Jeff Reed  
Director of Communications  
The Buckeye Institute  
419-706-7879  
[jeff@buckeyeinstitute.org](mailto:jeff@buckeyeinstitute.org)

FOR IMMEDIATE RELEASE  
Friday, August 19, 2016

### **Ohio suffers biggest drop in labor force participation in 26 years, July report shows**

COLUMBUS -- More than 24,000 Ohioans stopped looking for work in July, causing the biggest drop in the state's labor force participation since 1990. The unemployment rate fell slightly, but only because there were fewer people in the state's labor force, according to a policy analyst with Ohio's free-market think tank.

Joe Nichols at The Buckeye Institute said policymakers should be extremely concerned by Ohio's two straight months of falling labor force participation rates.

Nichols said today's July jobs report from the Ohio Department of Job and Family Services shows small businesses and other private sector employers did not have the ability to absorb all the people seeking jobs, and now those people have stopped looking for work as a result.

"Ohioans clearly wanted to work, but the state's employers did not have the money and resources to hire them," Nichols said. "This should be a sign to state leaders that we need more policies that keep money in the hands of job creators and not government."

The most job losses in the state came from construction (-3,600). The most job gains in July occurred in the health care and social assistance sector (+6,400) and local government (+3,100).

"It's discouraging that state government was the leading job creator in June and now local government is a top job creator in July," Nichols said. "Government doesn't move our state forward; small businesses, entrepreneurs, and workers do. We need to make sure employers have the ability to create new jobs for the many Ohioans who want to work."

The Buckeye Institute analyzes Ohio's unemployment rate to identify policy solutions for increasing job opportunities and strengthening the state economy.

# # #

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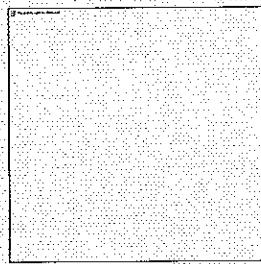
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**From:** The Buckeye Institute  
**Sent:** Monday, August 22, 2016 1:39 PM  
**To:** Rep48  
**Subject:** Did you see these headlines?



## In the News

The Buckeye Institute's experts are continually sought for their insights into national, state, and local affairs. The stories below are just some of Team Buckeye's recent media appearances. If there's an issue in your community that could use our expert analysis, contact us at [Info@BuckeyeInstitute.org](mailto:Info@BuckeyeInstitute.org).

### **The Sound of Ideas | Welfare Reform: 20th Anniversary**

"How many people in America receive welfare benefits today? Probably millions fewer than you think. On the 20th anniversary of the day President Bill Clinton signed welfare reform into law, we take a hard look at how and why it originated, what changes have been made since to improve the program, and what its future could be."

[Click here to listen to the broadcast, featuring The Buckeye Institute's Greg R. Lawson.](#)

### **Dayton Daily News | Ohio unemployment shrinks along with workforce**

"[A]nother 24,000 workers dropped out of the labor force last month, which was largely responsible for the lower unemployment rate and caused the biggest drop in labor force participation since 1990, according to Joe Nichols, a policy analyst with The Buckeye Institute.... Nichols said the July jobs report indicates small businesses and other private-sector employers did not have the ability to absorb all the people seeking jobs."

[Click here for the story and Joe's insights into Ohio's latest jobs report.](#)

## **The Columbus Dispatch | Dublin district wasn't transparent**

"As reported in the June 3 Dispatch article 'Dublin schools could seize building,' the district failed to secure a vacant building because it bid on that space anonymously and refused to disclose its identity after being asked by the property seller to do so. As a result, Dublin has threatened to use eminent domain to secure the space from a private company."

[Click here for the full letter by Buckeye's Greg R. Lawson.](#)

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**From:** The Buckeye Institute  
**Sent:** Tuesday, August 23, 2016 4:17 PM  
**To:** Rep48  
**Subject:** We won! Ohio voting integrity case decided in Buckeye's favor today.

## Buckeye Institute News Alert

Contact: Jeff Reed  
Director of Communications  
The Buckeye Institute  
419-706-7879  
[jeff@buckeyeinstitute.org](mailto:jeff@buckeyeinstitute.org)

FOR IMMEDIATE RELEASE  
Tuesday, August 23, 2016

### Buckeye Institute secures win in legal battle over early voting

COLUMBUS -- The U.S. Court of Appeals for the Sixth Circuit ruled in The Buckeye Institute's favor today on Ohio's early voting law. The court reversed a federal judge's decision requiring Ohio to expand its already nation-leading early voting law.

"Ohio voters can go to the polls this fall knowing the integrity of the state's electoral process is more protected," Daniel J. Dew, a legal fellow with The Buckeye Institute, said. "Ohio voters, our law-making system, and the entire nation who will be watching our state this November won today."

On May 24, a federal judge overturned an Ohio General Assembly law, which set the state's early voting at 29 days. Challengers alleged that a 34-year-old federal law required Ohio to offer even more days of early voting. Secretary of State Jon Husted noted that Ohio's 29-day period for casting absentee ballots puts the state in the top 10 nationwide for early voting.

Sixth Circuit Judge David McKeague called the challengers' position "astonishing," as it would prohibit states from modifying their electoral procedures.

An amicus brief submitted by The Buckeye Institute's Legal Center supported Secretary Husted's defense of Ohio's absentee voting period. Representing The Buckeye Institute in the case was Michael Carvin, an election and appellate law expert with the global Jones Day law firm.

"The Buckeye Institute's Legal Center will continue to stand up for Ohioans against judges who ignore the clear intent of the law," Dew said. "This victory also strengthens the laws of 40 other states that have fewer absentee days than Ohio, a national leader in early voting."

[Click here to read the full brief filed by The Buckeye Institute.](#)

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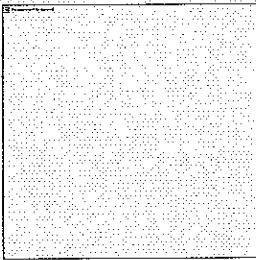
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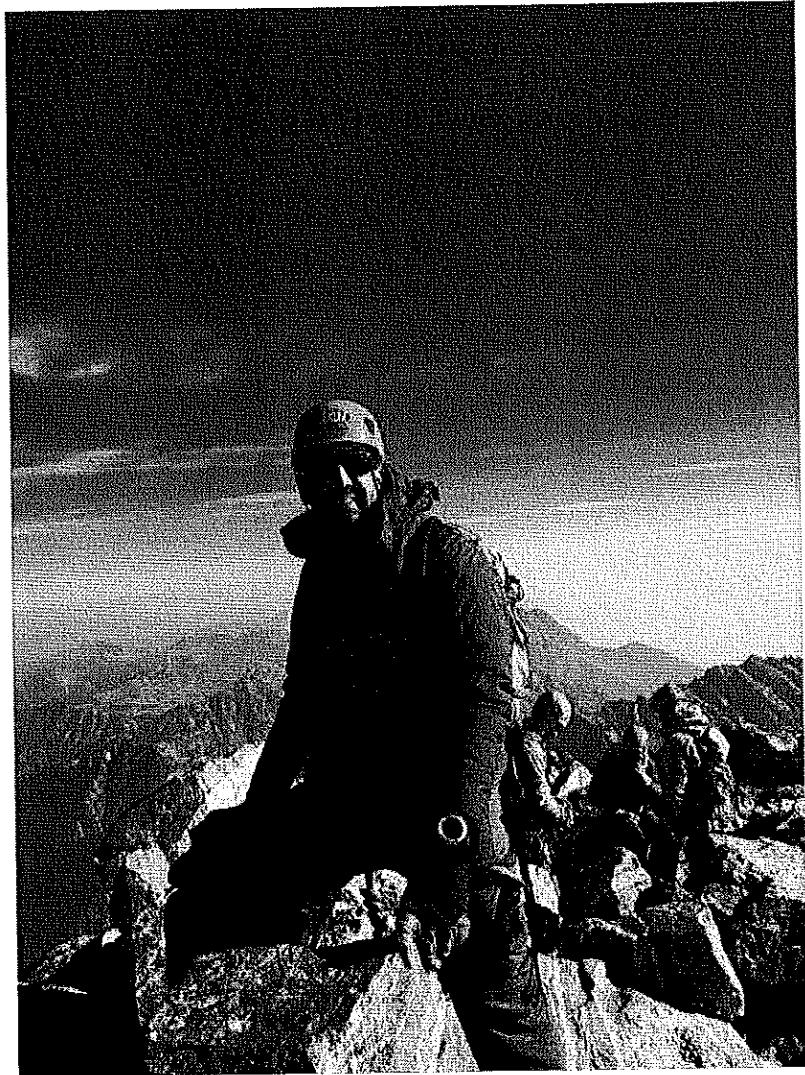
**From:** The Buckeye Institute  
**Sent:** Wednesday, August 24, 2016 6:32 PM  
**To:** Rep48  
**Subject:** On Mountains and Worthy Goals, A Personal Message from Buckeye's President



## Buckeye Institute - A Message from the President

Message from Buckeye President (who just today finished his birthday present trip to Wyoming):

"We fought 50+ mph winds over the course of the two day climb, which caused many other groups to turn back... It was one of the coldest ascent days the guide had ever seen. Here I am straddling a length of rock with my foot dangling over a 3000 foot vertical drop--all worth it. Grand Teton summit was a worthy challenge indeed." -- Robert Alt (4:35 p.m. today)



Thank you most kindly for your ongoing support of The Buckeye Institute and our work.

We dedicate our daily lives to Buckeye's unofficial motto of "doing hard things" and climbing metaphorical mountains policy-wise every chance we get. All the while, our fearless leader spends his vacation time demonstrating how to climb those literal mountains one step at a time. We are inspired to keep pushing upward in the face of adversity, and hope you are too.

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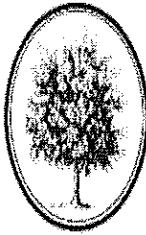
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**From:** The Buckeye Institute  
**Sent:** Tuesday, August 30, 2016 1:02 PM  
**To:** Rep48  
**Subject:** New look. New website. New video.



# THE BUCKEYE INSTITUTE

Good fortune.

That is what Ohio's earliest inhabitants said came from a buckeye tree. And it is what The Buckeye Institute is bringing to our state, and country, today and in the years to come.

Just like Ohio's beloved state tree, The Buckeye Institute has deep roots going back to our founding in 1989. And so, too, like a buckeye, we are growing to greater heights.

Today we are pleased to announce the launching of our new look, logo, video, and website, which will allow us to engage state policymakers, the media, and our supporters like never before. [Click here](#) or on our new introductory video below to see for yourself.



Whether it is in health care coverage, criminal justice, energy prices, or access to jobs, the states could use some good fortune. That is why The Buckeye Institute will continue to grow free-market policies that enable people to lead fulfilling lives and cultivate those successful policies in other states beyond Ohio.

Already The Buckeye Institute has been recognized for our first-in-the-nation legal reforms, our firm stance to keep the federal government out of our energy policies, and our innovative solutions to curtail bureaucratic occupational licensing rules so that every Ohioan can pursue his or her dream job.

Building on our rich history and brand-new symbol representing our past, present, and future, together we are making Ohio the state where free people and free markets can blossom for the whole country to see. And, together, we will continue to branch out like a well-established tree to provide sound policy solutions for every state.

# # #

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Sent by [info@buckeyeinstitute.org](#)

**From:** Heartland Institute: The Government Relations Team  
**Sent:** Thursday, September 1, 2016 10:01 AM  
**To:** Rep48  
**Subject:** The Leaflet - Football Season and Fantasy Sports



## Football Season and Fantasy Sports

As the world anxiously waits to see the Carolina Panthers and Denver Broncos open the season in a Super Bowl rematch, fantasy football fans are glued to their computer screens debating which of their fledgling teams is the cream of the crop.

Steven Titch, policy analyst at the Reason Foundation, explains how fantasy sports work in a [recent R Street Institute article](#). “In fantasy sports, contestants pool their money and they each select a line-up of real-life players in a given sport—baseball, football, hockey, even golf and NASCAR. The performance of each player is tracked and the fantasy team is awarded points based on individual achievement—e.g., home runs in baseball and touchdowns in football.”

While this might sound like good, harmless fun to you, lawmakers across the nation have been working to ban or heavily regulate the growing fantasy sports industry, and fantasy sports businesses, such as FanDuel and DraftKings, and business associations, such as the Fantasy Sports Trade Association, have ramped up their efforts to stop government intrusion by lobbying in favor of fantasy sports freedom in legislative battles in numerous states, including Illinois and Texas. [According to a recent Wall Street Journal article](#), Alexandra Berzon states the industry's lobbying efforts are growing: “It involves 78 lobbyists in 34 states, up from four lobbyists a year ago.”

[In a recent Off Shore Gaming Association article](#), writer Hartley Henderson says Florida, Kentucky, Michigan, Minnesota, Nebraska, New Mexico, South Carolina, and Wisconsin have all been invested in the fantasy sports debate. “Even states that were banned from the outset are having second thoughts. Arizona, Iowa, Louisiana and Washington all have some sort of bills to legalize DFS on the table. Only Montana has no bill on the table or desire to look at fantasy sports legalization.”

In the Empire State, New York Attorney General Eric Schneiderman declared DFS to be illegal, ordering a shutdown of all DFS activity in the state. Within a few months, the New York State Legislature passed legislation permitting DFS.

Citing an up-to-date DFS legislative tracker provided by ESPN, Titch said, "Mississippi, Missouri, Rhode Island and Tennessee are among states that also have legalized DFS, while it remains banned in Iowa, Louisiana, Arizona and Washington State."

Jesse Hathaway, managing editor of Heartland's *Budget & Tax News*, argues in a recent Pittsburgh Tribune-Review article state and federal lawmakers should refrain from cracking down on daily fantasy sports and let people have fun. "Instead of blitzing daily fantasy sports, lawmakers should resist the urge to ban popular, benign activities and products. Leaving consumers alone and letting them spend their money in harmless ways they enjoy is a touchdown for everyone."

## WHAT WE'RE WORKING ON

### Budget & Tax

#### Research & Commentary: Kansas Needs to Adjust Its Assumptions on Pension Investments

Kansas is now facing a significant shortfall in its pension fund investments that could create substantial funding problems in the future. In 2015, Kansas issued a \$1 billion bond in an effort to boost its public-pension system by investing the bond proceeds. While final figures are not yet available, the Kansas Public Employees Retirement System (KPERS) Director Alan Conroy indicated to the Topeka Capital-Journal investment returns for the first year are expected to be minimal. In this *Research & Commentary*, Senior Policy Analyst Matthew Glans examines state pension funds and assumed rates of return. "If the estimated rate of return for these pension funds continues to fall short of expectations, pension systems across the country may be in even more trouble than is currently thought. Pension experts recommend states use an expected investment return rate of 3.1 percent, which is based on 30-year U.S. Treasury bond yields," Glans wrote. [Read more](#)

### Education

#### Research & Commentary: Louisiana Scholarship Program Saves Pelican State Tax Dollars

In this *Research & Commentary*, Policy Analyst Tim Benson writes about a new study by the School Choice Demonstration Project (SCDP) at the University of Arkansas, which has found the Louisiana Scholarship Program (LSP) - the Pelican State's voucher program for low-income students that launched in 2008 - is saving the state money. SCDP says cancellation of the program would increase costs for four out of five local school districts. To be eligible for the LSP, students must come from families earning under 251 percent of the federal poverty level and must have attended a school C-rated or below during the previous school year. Greater than 7,100 Louisiana children took advantage of the program in 121 different schools in the



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August 7-8, 2016

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December 15-17, 2016

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2015-16 school year. However, funding for the program will drop from the \$42 million it received in 2015-16 to only \$40.1 million in the fiscal year that started in July 2016. "Based on what we know about the educational benefits of school choice programs in general and the cost-saving integrationist benefits of LSP, it is not out of bounds to say LSP deserves a return to full funding from Louisiana legislators in the 2017 legislative session," wrote Benson. [Read more](#)

#### Energy & Environment

##### Electricity Generation From Existing Sources is Cheapest, Report Says

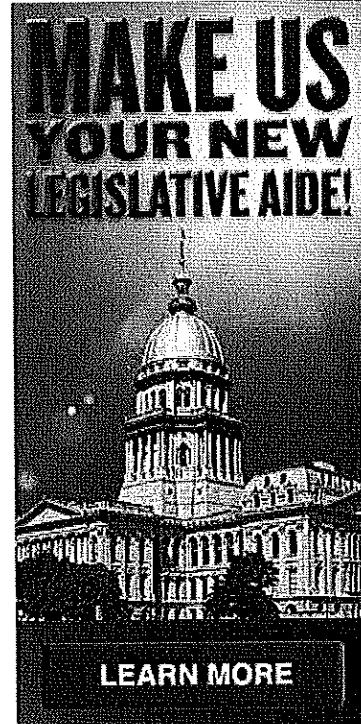
Michael McGrady writes about a recent report published by the Institute for Energy Research (IER) that concludes most existing electric power plants produce electricity with significantly lower costs than new-generation resources, such as wind and solar energy. Renewable-energy subsidies and the current regulatory push to promote wind and solar power, McGrady notes, have forced the premature retirement of coal-fired power plants and led to energy price increases. Electricity from new wind and solar power is 2.5 times to five times more expensive than electricity from existing coal and nuclear power. "Our study suggests existing power plants should continue to operate until electricity from them is more expensive than power from new equivalent replacements," said report co-author Thomas F. Stacy. "For each major power plant technology, the average existing plants produce at a cost well below the cost from new power plants that might replace them." [Read more](#)

#### Health Care

##### Research & Commentary: Medicaid Expansion Costs Continue to Grow

Thirty-one states, in addition to the District of Columbia, have chosen to expand their Medicaid programs under the Affordable Care Act (ACA) and 19 have refused to do so. Medicaid is already placing severe financial strain on state budgets and the program has a proven track record of failing to provide cost-effective and efficient care for those in need. In this *Research & Commentary*, Senior Policy Analyst Matthew Glans examines state Medicaid programs, how costs are running out of control, and several proposals for reform. "In a new report from the Department of Health and Human Services (HHS), an examination of Medicaid's finances found the average cost of ACA's Medicaid expansion enrollees was nearly 50 percent higher in fiscal year 2015 than the levels HHS had projected the previous year," Glans wrote. [Read more](#)

#### From Our Free-Market Friends



#### POLICY NEWSPAPER



The July issue of *Health Care News* reports House Republican leaders plan to release immediately before the Republican National Convention a party-wide plan to repeal and replace the Patient Protection and Affordable Care Act, aka Obamacare. Caitlin Carroll, communications director for the Republican Study Committee, said "any plan that dismantles Obamacare and moves [the country]

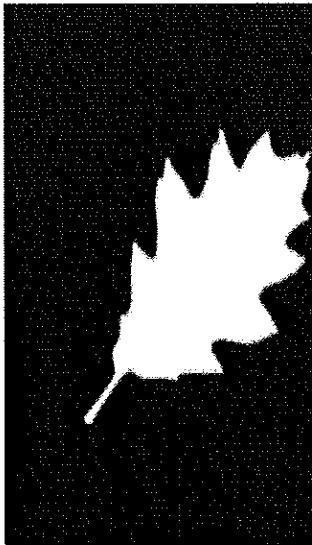
**The Buckeye Institute Launches New Website, Logo, and Look**  
Much like Ohio's beloved state tree, The Buckeye Institute has deep roots going back to the organizations founding in 1989. On August 30, The Buckeye Institute announced the launching of a new look, logo, video, and website, which will allow it to engage state policymakers, the media, and supporters like never before. The new website highlights important policy issues, including health care, criminal justice, energy policy, and access to jobs. The Buckeye Institute will continue to grow free-market policies that enable people to lead fulfilling lives and cultivate those successful policies in other states beyond Ohio. [View the new website here](#)

toward patient-centered reform should be considered as part of the House's ongoing discussion of what a conservative health care reform plan should look like."

**Budget & Tax News**

**Environment & Climate News**

**School Reform News**



**Heartland Institute**

The Heartland Institute is a 32-year-old national non-profit organization dedicated to discovering, developing, and promoting free-market solutions to economic and social problems.

**Our Websites**

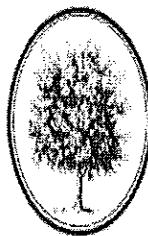
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Diane Bast | 3939 North Wilke Road | Arlington Heights, IL 60004  
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**From:** The Buckeye Institute  
**Sent:** Monday, September 5, 2016 9:14 AM  
**To:** Rep48  
**Subject:** Labor deserves a day to vote



## THE BUCKEYE INSTITUTE

Fittingly today, on Labor Day, The Buckeye Institute released its latest report, "One Man, One Vote, One Time? Re-election Votes Hold Unions Accountable to Their Members." This timely piece demonstrates how regularly held union elections ensure that workers are satisfied with their union representation and the leadership for which they pay.

A shockingly high number of Americans have never been able to vote for their unions before. It's time for workers to have their voting rights restored.

Today, 94 percent of unionized private sector workers...



...are in a union they never voted to endorse.

As you'll see in the report, giving those 94 percent of private sector workers a vote will take an act of Congress—and we all know how Washington, D.C. works. That's where The Buckeye Institute comes in: We have innovative

state-level policy solutions that lawmakers across the country can implement in their own states to provide workers with their long-overdue voting rights.

Elected officials know what it's like to stand before the voters and make their case to the people they represent. Union leaders should do the same before the workers they represent too. It's only fair.

# # #

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**From:** Gongwer News Service  
**Sent:** Tuesday, September 6, 2016 5:48 PM  
**To:** Rep48  
**Subject:** Ohio Report, Tuesday, September 6, 2016  
**Attachments:** Sep6.htm; Sep6House.htm; 160906dayplan.htm



## **Ohio Report for Tuesday, September 6, 2016**

Stakeholder Group Reconvenes To Recommend Sponsor Evaluation Updates

House District 16: Cuyahoga Councilman Faces Democratic Operative In Battle For Baker Seat

Buckeye Institute Calls For More Union Decertification Votes, Policy Matters Ohio Urges Lawmakers To Promote Unionization

State Board Looking To Help 2,000 Displaced Ohio ITT Students

Ohio Sees Drop In Obesity Rate, But Trends Show Continued Rise In Diabetes, Hypertension, Report Says

Trump, Clinton Spend Holiday Campaigning In Ohio

Democratic PAC Cancels \$3M More In Strickland Ads; Nicklaus Backs Portman

From Congress: Brown, Portman Praise Trade Ruling On Steel; Kaptur Welcomes \$2M In Housing Funds; Latta Tours OSU Radio Optics Lab...

Court Briefs: Court Rules Meigs County Charter Proposal Should Move Forward; Man Injured At Basketball Game Loses Case; Attorneys Reprimanded...

Supplemental Agency Calendar

Supplemental Event Planner

## **Activity Reports**

House

## **Calendars**

Day Planner

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**Volume #85, Report #172 -- Tuesday, September 6, 2016**

**Stakeholder Group Reconvenes To Recommend Sponsor Evaluation Updates**

A group of charter school sponsors who previously worked to update the process by which they are evaluated has reunited to offer new recommendations as the Ohio Department of Education heads back to the drawing board.

Sponsors have been raising concerns about a change in evaluation practices since they were introduced last year, but the time is ripe for them to step in and make their voices heard following the Joint Committee on Agency Rule Review's shelving of a rule dealing with the compliance portion of the reviews.

St. Aloysius representative Dave Cash said he recently reconvened a stakeholder group that had been defunct for the past three years, hoping that JCARR's decision could provide an opportunity for members to provide feedback and offer suggestions on the evaluations.

JCARR leaders have since said they expect the ODE to present an updated rule and the Common Sense Initiative has asked the agency to collect additional public comments.

"We anticipated JCARR would send the rule back and get stakeholder feedback that they did not get the first time. Who better to try to provide some of that stakeholder input than the ones who were involved in the evaluation to begin with?" Mr. Cash said in an interview.

"We've put a significant amount of resources into trying to put an evaluation tool together that was then not finished out and then not implemented well and it all fell apart. We felt it was our obligation to try to step up and offer recommendations to fix it."

The group, which includes representatives from the Ohio Association of Charter School Authorizers, Ohio Coalition for Quality Education, Ohio Alliance for Public Charter Schools, Reynoldsburg City Schools, and the Thomas B. Fordham Foundation, originally began meeting in 2012.

At that time, members - who were also joined by representatives of the National Association of Charter School Authorizers and ODE employees - spent a year and a half crafting a process to measure sponsor compliance and piloting it throughout the state.

Their recommendations on compliance became part of the previous sponsor evaluation that was never fully implemented and was ultimately revamped because it came to light that sponsor ratings were miscalculated by then-Office of School Choice Director David Hansen.

Sticking with some of the same premises as the last time they were active, the group is also taking into consideration new laws as it drafts updated recommendations, some of which have already been presented to CSI and ODE, Mr. Cash said.

Earlier this week, the group created a process and timeline for the compliance portion of the evaluation. It would require the validation of just 10% of the items on the compliance list, but those items would be selected at random.

The group has also suggested that a number of items be removed from the list, the OCQE's Beth Lear said. Of the 319 items schools were required to verify compliance with, the group found that 15 were not required under law, 12 required sponsors to confirm a negative and 78 were documents to which ODE already has access.

Their recommendations were submitted the same day Superintendent of Public Instruction Paolo DeMaria sent the State Board of Education a memo stating that the agency would revert back to the current rule for the compliance portion of the reviews and continuing working on the new proposal. (See Gongwer Ohio Report, September 1, 2016)

Under those compliance guidelines, ODE would examine whether all rules and laws are being met at just 10% of sponsors' schools as opposed to all of them.

Mr. Cash said that system isn't preferable because sponsors only have to certify that a number of the compliance items are being met.

Allowing sponsors to verify information without a system in place to check for validity puts the state back in the same position it was in when it asked the stakeholder group to make recommendations for a new evaluation process in 2012, he said.

"We wanted to make sure who was performing well and who was not performing well. We wanted tools so we could show we were doing the work we said we were doing," he said, adding that the previous evaluation system simply required sponsors to tell the agency whether they were meeting standards or not.

Mr. Cash said ODE has not responded to the new recommendations or voiced interest in rejoining the conversation.

"They've got to be a partner with us in this work," Mr. Cash said. "They're responsible for the Ohio system of public education and there are 400 charter schools and 120,000 students (that attend them) - that's a significant portion of Ohio's public education system and we need ODE to be partner with us on that so we can keep doing good work."

Ms. Lear said it's also important for ODE to work with sponsors on evaluation system updates because the agency also sponsors a number of charter schools.

"It doesn't really look good for one sponsor to be setting the rules for all sponsors," she said in an interview.

ODE's Brittany Halpin said, "We've received the letter and we always appreciate the input of our stakeholders."

Up next, the group said it plans to offer suggestions for changing the quality and compliance portions of the evaluations following a Sept. 12 meeting.

Mr. Cash said the latest academic portion of the review is concerning because it's centered on report card scores of schools in sponsors' portfolios, despite the fact that sponsors do not have the ability to make curriculum decisions or choose school teachers and leaders.

"All I can do as a sponsor is say, 'You promised you were going to have a school that was going to perform at this level and so far you're not getting there.' I don't have the ability to go ahead make a direct impact on their performance," he said.

### **House District 16: Cuyahoga Councilman Faces Democratic Operative In Battle For Baker Seat**

The race to replace term-limited Rep. Nan Baker (R-Westlake) for a seat in suburban Cleveland pits a Republican veteran of local government against a young native of the area with experience working in state and national politics.

Republican nominee Dave Greenspan, 51, of Westlake, is a member of Cuyahoga County Council who moved to Ohio in 2007 from the Atlanta area. He faces Democrat Tommy Greene, 28, a Bay Village native who is the son of a steelworker and a teacher's aide.

Neither candidate faced a primary challenge in the district, which leans Republican.

Mr. Greenspan touted his experience in local government and his ability to work across the aisle. A native of New Jersey who's lived in a number of states and attended Troy University in Alabama, he served on the inaugural city council in Sandy Springs, Ga., when the city was incorporated in 2005. After moving to the Cleveland area in 2007, he was elected to the first Cuyahoga County Council in 2010.

He immediately focused on ethics, chairing the council's ethics committee, he said.

"Coming into a new government, especially one coming out of such deep-rooted corruption, I felt it was very important that the residents and businesses of Cuyahoga County and Northeast Ohio knew that their government was going to be working for them," he said in an interview.

The married father of three doesn't just start up local governments. He has an accounting degree and has spent much of his career as a chief financial officer for a number of companies, mostly startup ventures. He's also been the chief operating officer for the PGA Tour radio network.

He now runs a small business, Green Elk Consulting Services, which provides financial and other advice to startup and turnaround businesses.

Mr. Greene is a graduate of Ohio University who has worked for Equality Ohio and interned for Sen. Sherrod Brown (D-Avon). He now works in business development for North Water Partners, a company in the Ohio City area of Cleveland.

The Democrat grew up in Westlake and Bay Village. He said part of the reason he became interested in politics was because his father lost his job when the steel mill where he worked closed in 2001. Following that, his father took him to a rally that included Sen. Brown and former U.S. Rep. Dennis Kucinich.

"That's when I realized that when families are going through a hard time, they turn to their elected officials not for a handout or for them to answer all of their problems, but to be standing with them when things are going wrong and to be able to provide solutions to make the families a little bit stronger in the future," Mr. Greene said in an interview.

Families, through jobs and education policy, will be a focus for Mr. Greene.

"I kind of view my role as being able to strengthen Ohio's families," he said. "There's a handful of ways we can do that," including more oversight of charter schools. Education funding, particularly for public schools, will be a priority, he said.

He also said he wanted to see more infrastructure development, including pushes for Ohio to develop more clean energy products. Toledo could build more solar panels, for example, he said.

"We have a proud manufacturing history and Ohio has to be a place where we build things," he said. "We can't just be a 100% service sector economy. We have to be a manufacturing state in Ohio."

Mr. Greenspan said he has focused on a wide variety of issues during his time in public office, and believes a comprehensive approach is important. Education and drug problems are both tied to jobs.

A priority for the state, he said, is to develop a workforce of people who are able to do jobs and pass drug tests:

"We have to continue to develop what I refer to as a competent workforce. I think we all can agree that the state is continuing to move the needle in a positive direction toward workforce development," he said, but the work needs to continue.

He said he wants to see a "holistic, total" approach to the economy, one that includes focusing on education to produce good workers, luring in a wide variety of industries, and matching qualified workers with open positions.

"If you look at it in its totality, if you look at it as one big direction to move our state, it's my belief that all of those issues move us in a positive direction," he said.

"Unless you've lived this, unless you've served at the city level, unless you've served at the county level, it's hard to understand how these issues come together," he said.

Mr. Greene, who is openly gay, said nondiscrimination is also an economic development issue. When he worked for Equality Ohio, he said, one of his duties was to talk to executives about the need for nondiscrimination laws in order to recruit talented workers from other parts of the country.

"If Ohio is going to be open for business, we need to be open for talent," he said.

Mr. Greene said his campaign team has been organized and working in the community to spread his message.

"I'm out there every day talking to voters about how we're going to move our state forward," he said.

"I believe regular working families need an advocate in Columbus," he added.

Mr. Greenspan said he believes his experience as an elected official - particularly in a county council district that spans the same cities as the legislative district - sets him apart. He said he is also stressing his willingness to work across the aisle to get things done.

"We have to be able to all work together, collectively, to create the environment in our state to move in the right direction," he said.

His campaign has knocked on more than 27,000 doors already, he said.

"I've represented this district for nearly six years. I believe that I understand the opportunities and the challenges of the district," he said.

### **Buckeye Institute Calls For More Union Decertification Votes, Policy Matters Ohio Urges Lawmakers To Promote Unionization**

In the wake of the Labor Day holiday, two groups offered competing visions on how to improve the lives of working Ohioans.

In a report released by the Buckeye Institute, the group proposed that Ohio lawmakers make it easier for state and local government employees to decertify their unions. Policy Matters Ohio, meanwhile, released a report calling for lawmakers to make it easier to join and form unions.

According to the Buckeye Institute's report, "One Man, One Vote, One Time? Re-election Votes Hold Unions Accountable to Their Members," there are more than 3,100 bargaining units covering about 300,000 state and local government employees across Ohio. However, most of those employees have had no say in their representation, it said.

"Ohio makes it very difficult for workers to have a voice in their unions," Robert Alt, Buckeye's president and CEO, said in a statement. "Under current law, the ability for union workers to hold an election is far more cumbersome than how we conduct our elections for public officials. And elections keep people accountable."

In the past three years, just 14 validly submitted decertification petitions have been submitted to the Employment Relations Board. Unions prevailed in three of those re-election efforts, the report found.

The report, however, said the decertification process is a cumbersome one, providing a 30-day window in which 50% of government employees in a bargaining unit need to sign a petition to trigger a vote.

"Just as voters hold their public officials accountable so, too, should workers be able to call for better representation," Rea Hederman Jr., executive vice president of The Buckeye Institute, said. "Ohio should follow the lead of other states by requiring their government unions to regularly stand for re-election, which will only improve their responsiveness to member needs."

The report goes on to list several complaints unionized employees have with their bargaining units, including dues spent on political activities, leaders' salaries and "insufficient" leadership elections.

"Union members should have the freedom to regularly decide whether to remain unionized. Such re-election votes would make unions more accountable to their members," the report concludes. "They would force union leaders to serve their members' interests instead of pursuing their own priorities. Workers deserve the ability to hold their union regularly accountable. Meaningful representation does not mean one man, one vote, one time."

But in its report, "Still struggling: State of Working Ohio 2016," Policy Matters Ohio says lawmakers should be promoting unionization.

Unionized workers in Ohio made about \$4 more per hour than their non-unionized counterparts in 2015, according to the report.

"Unions improve wages but Ohio's legislators and governor have often taken steps to weaken unions and reduce the number of workers who can get the protection, training and compensation benefits that come with being a member of a labor union. In order to broaden unionization in Ohio, the state should reject the misnamed 'right-to-work' initiative - states that take this approach end up with lower wages," the report reads

"Ohio should also allow home health workers and childcare workers to become part of a union - two particularly important and low-wage occupations that were once promised the right to organize into unions. For both groups, Gov. Kasich has eliminated the right to join a union and bargain collectively."

The report goes on to state that unions can reduce inequality for black and female workers. It found that black unionized workers make \$4.31 more per hour than their non-unionized counterparts while women in unions make \$3.91 more per hour.

"Ensuring that more workers can join unions will better spread the benefits of unionization," the report states.

### **State Board Looking To Help 2,000 Displaced Ohio ITT Students**

ITT Technical Institute's parent company announced Tuesday it is pulling the plug on its 137 campuses across the country, officially displacing about 2,000 Ohio students and an unknown number of employees.

Left to help fill in the gap is the Ohio State Board of Career Colleges and Schools, which is stepping in to ensure displaced students aren't left behind by the closure of the Indiana-based company that served nearly 45,000 students in 38 states.

"This is going to be a difficult process I'm sure, but we'll continue to work with the students," Board Executive Director John Ware said in an interview.

The closure had been expected ever since the federal government late last month unveiled an array of penalties, including banning the school from enrolling students with federal financial aid, after the school was found to be out of compliance with accreditation criteria.

The company on Tuesday confirmed that after assessing its options, the sanctions were deemed a death knell.

"It is with profound regret that we must report that ITT Educational Services, Inc. will discontinue academic operations at all of its ITT Technical Institutes permanently after approximately 50 years of continuous service," the company announced in a press release.

"With what we believe is a complete disregard by the U.S. Department of Education for due process to the company, hundreds of thousands of current students and alumni and more than 8,000 employees will be negatively affected."

As of Tuesday, the company had already eliminated the "overwhelming majority" of its employees and said remaining staff members are prioritizing helping displaced students determine their options.

The state board has been working on contingency plans for the students enrolled at ITT's nine Ohio campuses since the August penalties were announced, Mr. Ware said. The fact that those campuses are spread out across all corners of the state poses a particular challenge, he added.

He said the board has been working to enlist other schools for teach-out agreements in which case the school would agree to accept displaced students' ITT credits and any related financial aid. The board will be emailing a list of those schools to students this week, he said.

"Sometimes it depends on how far along in their program they are and what program they are in so we'll have to figure that out for each student - what they need to do," he said.

Alternately, he said, the board will work to connect students unable to continue their program elsewhere with the U.S. Department of Education where they could receive a loan discharge.

"We'll work with ITT to make sure students have access to their transcripts and records and anything like that the students would need going forward," Mr. Ware said. "We've already had communication about this and I know ITT was going to send an email with some of this information out to their students sometime today."

ITT's closure is the latest result of a crackdown of the federal government on for-profit colleges, although Mr. Ware said most previous closures "have been more orderly than this."

"It's been a painful process," he said.

Among the penalties levied against ITT was a requirement the company increase its existing surety from \$94 million to more than \$240 million - or 40% of all Title IV aid the school received in 2015 payable in full. The company pointed to that stipulation specifically as to why it is unable to continue operations.

"We believe the government's action was inappropriate and unconstitutional, however, with the ITT Technical Institutes ceasing operations, it will now likely rest on other parties to understand these reprehensible actions and to take action to attempt to prevent this from happening again," the company said.

In a message to ITT students, U.S. Education Secretary John King acknowledged the news will have a "deeply personal" impact on affected students and, vowing to support students as they work through their options, encouraged students to not give up on their education.

**Ohio Sees Drop In Obesity Rate, But Trends Show Continued Rise In Diabetes, Hypertension, Report Says**

Ohio was one of four states that saw its obesity rate fall in 2015, according to a report from the Trust for America's Health and the Robert Wood Johnson Foundation.

The Buckeye State ranked 26<sup>th</sup> in the U.S. with an adult obesity rate of 29.8%. That's down from 32.6% a year earlier.

Although Ohio saw a drop year-over-year, the rate was still well above what it was a decade earlier, when 24.9% of Ohio adults suffered from obesity, according to the report. In 1995, the rate was 16.1%.

The drop in Ohio and three other states - Minnesota, Montana and New York - was the first time in the last decade that any states experienced decreases except for Washington, D.C., in 2010.

Louisiana had the highest rate of obesity at 36.2%, while Colorado had the lowest at 20.2%.

Ohio had the 14<sup>th</sup> highest rate of obesity among children ages 10-17, at 17.4%, and was 35<sup>th</sup> in obesity for children ages 2-4 from low-income families, with 12.4%.

The report also cited a number of obesity-related health issues. Ohio was 17<sup>th</sup> in adult diabetes, with 11% of adults suffering from the disease. That number was down from a year before, but the overall trend remains upward - Ohio is expected to go from just over 1 million cases of diabetes in 2010 to nearly 1.6 million in 2030 at its current pace.

Even more Ohio adults suffer from hypertension. Ohio was 13<sup>th</sup> in that category, with 34.3% of adults having the condition. The number of cases is expected to rise from 2.3 million in 2010 to nearly 3.1 million in 2030 at its current pace.

Cases of heart disease and obesity-related cancer are both expected to rise dramatically over the next two decades, the report said, while arthritis cases are likely to decrease.

The State Health Assessment cited obesity among the chronic conditions that pose serious health risks to the state. That report cited links between obesity and other chronic conditions, and noted the racial and geographic disparities among them. (See Gongwer Ohio Report, August 22, 2016)

The SHA found obesity to be a problem cited by public health experts in all areas of the state and among a wide variety of different groups. The report cited nutrition and physical activity as possible contributing factors and opportunities for improvement.

"Although Ohio's high prevalence of obesity and diabetes indicate that much more progress is needed on physical activity, this assessment finds that Ohio has some strengths in this area," the SHA said. "First, the percent of Ohio adults reporting no leisure-time physical activity declined from 2013 to 2014 and met the Healthy People 2020 target. Second, regional forum participants in most areas of the state identified their active living environments as a characteristic that made them proud of their

community, and all regions identified a positive active living environment as one of the most important characteristics of a healthy county or region."

The Trust for America's Health report on obesity also found racial disparities in obesity. Among white Ohioans, the rate of obesity was 30.5%, while it was 37.1% among black Ohioans.

The gap was narrow between men and women, with 30.5% of men and 29.7% of women. For different age groups, it was wider, with the obesity rate among Ohioans 45-64 at 36.3%, compared to 29% for those 65 and older, 27.9% for those 26 to 44 and 17.8% for those 18-25.

Dana Schmersal, a spokeswoman for Voices for Ohio's Children, said policymakers should continue to work on programs to improve childhood nutrition.

"We are very glad to see the downward trend for childhood obesity rates in Ohio," she said in an email. "Child nutrition, however, remains a key issue across the state as both obesity and food insecurity impact far too many Ohio families, leaving our state to face the expensive cognitive, behavioral, educational, economic and health consequences that follow. Of course, it is not enough to make food more accessible and nutritious - we must work with schools, child care providers, and communities to ensure that meals are consistent with a healthier lifestyle supported by comprehensive health and physical education inside and outside of the classroom."

### **Trump, Clinton Spend Holiday Campaigning In Ohio**

GOP nominee Donald Trump and Democratic nominee Hillary Clinton ventured back to the Buckeye State Monday as they continued to court voters.

Ms. Clinton spoke at a Cleveland rally, where she and vice presidential candidate Tim Kaine stressed the importance of the state in the electoral landscape.

"You're used to this," Sen. Kaine told Ohio voters, saying the election has entered the "home stretch."

"You're used to the fact that you're one of the two or three most important states in any presidential election going back since there were presidential elections," he said.

In her remarks to the crowd, Ms. Clinton again questioned Mr. Trump's suitability for the office of president. She also touted a newly announced book, written by herself and Sen. Kaine, called "Stronger Together" that will showcase their plan for the future.

"We are stronger together, and that is in stark contrast to Donald Trump," she said. "When he says, 'I alone can fix it,' he doesn't understand how America works."

Mr. Trump that same day participated in a labor roundtable Monday at a Brook Park American Legion post. Media access was limited at the event, which was only first announced that morning.

"I was happy to show Mr. Trump first-hand some of the challenges that we have faced in Northeast Ohio, with local plants shutting down and jobs leaving for overseas," Brook Park Mayor Tom Coyne said in a statement released by the campaign. "Mr. Trump speaks our language, I think he's more comfortable talking to labor and working class people than he is talking to bankers, and it shows."

Mr. Trump then attended the Canfield Fair, while at the same time Clinton surrogates launched attacks seeking to undermine Mr. Trump's attempt to draw blue-collar support.

"Hillary Clinton knows that America is already great because of your hard work, because of your values, your integrity," AFL-CIO President Richard Trumka told those at the fair. "She knows that our economy is strongest when we can band together and negotiate for better wages, better benefits and better working conditions. She wants to rewrite the rules of the economy so that working people win and not just billionaires, like Donald Trump, win."

The Clinton campaign on Tuesday evening is scheduled to open its latest organizing office, this one in Delaware County. The campaign has launched more than three dozen such offices across the state.

Mr. Trump, meanwhile, rated two points above Ms. Clinton in a Tuesday national poll from CNN/ORC. Mr. Trump earned 45% to Ms. Clinton's 43%, putting the pair at a statistical tie when accounting for the margin of error.

Libertarian Gary Johnson and Green Party candidate Jill Stein earned 7% and 2% respectively in that survey.

#### **Democratic PAC Cancels \$3M More In Strickland Ads; Nicklaus Backs Portman**

A national super PAC has canceled \$3 million worth of additional ads it planned to air supporting U.S. Senate candidate Ted Strickland.

The Senate Majority PAC announced the additional cuts Tuesday - the second such reduction the group has made in the last month. A spokesman said the group was seeking to "maximize resources."

The group had already scrapped ads set for later this month. But the additional cuts for ads previously set to air between Sept. 20-Oct. 10 mean the PAC will have no pro-Strickland advertising on Ohio airwaves until October at the earliest.

Strickland campaign spokesman David Bergstein in a statement downplayed the move, which is seen as the latest sign of Mr. Strickland losing ground to his opponent U.S. Sen. Rob Portman, saying "there's still a lot of race left to run."

"We just recently launched our paid media campaign, the national environment is rapidly deteriorating around Portman, he's facing a daily firestorm about his continued support for Trump - and Portman's small, weak field operation can't compete with the Ohio Democratic Party's coordinated field campaign which has hundreds of organizers and volunteers across the state working to elect Ted, Secretary Clinton and Democrats at every level," Mr. Bergstein said.

"Ted's going to do what he does best: campaign vigorously across Ohio, talking about the central contrast in this race - he's fighting for working people because that where he comes from and that's who he cares about, while Senator Portman is looking out for his rich and powerful friends," he continued.

The PAC had already cancelled about \$191,000 worth of ads previously intended to run between Sept. 6-19. At the same time, the Democratic Senatorial Campaign Committee announced it was pushing back the launch of its own ads by one week, cancelling about \$500,000 in reserved airtime in September and moving that money to support the campaign's own advertising. (See Gongwer Ohio Report, August 30, 2016)

The network run by brothers and GOP donors Charles and David Koch then announced they had cancelled pro-Portman ads to the tune of \$2.1 million. (See Gongwer Ohio Report, August 31, 2016)

The Ohio Democratic Party and U.S. Rep. Tim Ryan (D-Niles) came to the former governor's defense Tuesday at a press conference blasting Sen. Portman for "turning his back" on the auto industry.

"It's the central contrast in this race: Ted is fighting for Ohio's working families, while Sen. Portman is pushing the agenda of his rich and powerful friends in Washington," Rep. Ryan said. "We need someone who represents our values. It's pretty simple - working families need Ted Strickland in the U.S. Senate."

Mr. Strickland did land the endorsement of the Sierra Club Tuesday, which in turn drew the ire of the Ohio Coal Association which released a statement criticizing Mr. Strickland's stance on coal.

Sen. Portman, meanwhile, enlisted the help of famed golfer Jack Nicklaus with a new ad that is part of a \$15 million ad campaign that has already begun to air.

"Rob is the real deal, he's making a difference in standing up for American manufacturing, and he's fighting to strengthen our military to keep us safe. Rob Portman is Ohio's champion," Mr. Nicklaus says in the ad.

The Portman campaign used the Ohio State University football opener Saturday and a related Snapchat filter to expand its outreach to students and fans.

"We are proud to work with our impressive Students for Portman group, which is organized on more than 30 campuses and has helped us contact more than 3.5 million targeted voters," Portman campaign spokeswoman Michawn Rich said. "The coalition is helping ensure Rob's message of pro-growth policies for better wages and more jobs reaches students across Ohio during this campaign."

### **From Congress: Brown, Portman Praise Trade Ruling On Steel; Kaptur Welcomes \$2M In Housing Funds; Latta Tours OSU Radio Optics Lab...**

Ohio's U.S. senators praised a recent International Trade Commission finding that the country's steel industry has been hurt by cold-rolled steel imports from other countries.

The ITC determined imports from Brazil, India, South Korea and the United Kingdom have all played a role in harming the industry, but stopped short of listing Russia as having engaged in unfair trade practices.

U.S. Sen. Rob Portman (R-Terrace Park) and U.S. Sen. Sherrod Brown (D-Avon) both welcomed the ITC's determination, with Sen. Portman in a statement calling the situation facing Ohio's steelworkers a "crisis."

"Nearly 1,500 Ohio steelworkers were laid off last year through no fault of their own," Sen. Portman said. "Today the ITC recognized exactly what I told them: that unfair, dishonest practices from competitors in these countries are hurting our communities. Our work is far from over, but today's ruling is another step in leveling the playing field, and it is another win for Ohio steelworkers."

Sen. Brown said unfair trade practices are threatening the stability of that and other industries. He had previously advocated that Russia be included in the ITC investigation.

"When other countries don't play by the rules, the U.S. government must take action to protect American manufacturers," Sen. Brown said. "It's disappointing that the ITC did not recognize Russia's unfair trade practices, but the enforcement of antidumping and countervailing duties on cold-rolled steel imports from Brazil, India, South Korea, and the United Kingdom is a good step forward in providing the steel industry with the relief it needs."

In other trade news, Sen. Portman last week criticized the European Union's ruling that Apple owes \$14 billion in back taxes, saying the ruling highlights the need for international tax reform.

"Retroactive taxes not based in the rule of law are an attack on all U.S. companies doing business globally," the senator said. "The Commission is blatantly attempting to take advantage of the antiquated U.S. international tax system, and at the end of the day, it's

U.S. taxpayers footing the bill. This decision is another indicator of the urgent need for international tax reform."

**Housing:** U.S. Rep. Marcy Kaptur (D-Toledo) applauded the recent award of more than \$2.1 million toward Cuyahoga County homeless veteran support.

The Department of Veterans Affairs announced the award to Cleveland-based Frontline Service to support "Operation Cleveland Home Front," a program that provides transitional housing to veterans and their families.

"No one who has served our country with dignity and honor should face the indignity of being without adequate shelter," Rep. Kaptur said, adding that the program "offers veterans and their families a helping hand through transitional, temporary housing, a chance that offers hope and the prospects of a second chance to make a better life for themselves and their families. These brave men and women served our country, and this support program is our service in return."

**Technology:** U.S. Rep. Bob Latta (R-Bowling Green) praised Ohio State University's ElectroScience Lab during a recent tour of the facility. The lab is one of the largest radio frequency optics research laboratories in the world.

"The work they are doing at the ElectroScience Lab is pushing the limits in advancing technology," Rep. Latta said. "The research that is being conducted will pay countless dividends in the wireless communication and radio frequency fields."

**Piketon:** Sens. Brown and Portman continue their efforts to secure funding for the ongoing cleanup of the Portsmouth Gaseous Diffusion Plant.

The two earlier this month asked Senate appropriators to include funding for the project in any short-term continuing resolution considered by the upper chamber. Continued funding for the effort, they said, is in jeopardy because the 2017 Energy and Water Appropriations bill passed by the Senate, which includes the funding, has not yet received House action.

"Portsmouth's D&D efforts are an integral part of the Department of Energy's commitment to the people of southern Ohio," the pair wrote to the Senate Appropriations Committee. "Continued operations at the present level are an essential part of that commitment."

**Backpage:** Sen. Portman chalked up another victory in lawmakers' ongoing legal proceedings against Backpage.com.

Sen. Portman and Sen. Claire McCaskill (D-Mo.) as leaders of the Senate Permanent Subcommittee on Investigations have long been focused on an uncooperative Backpage in their attempt to determine the website's role in facilitating sex trafficking.

In the latest development, the D.C. Circuit Court denied Backpage's request for a stay, meaning the company must now turn over all documents that have been subpoenaed to the committee within 10 days.

"Today's ruling is a major step forward in our efforts to stop the scourge of online human trafficking and stand up for its thousands of innocent victims across the United States," Sen. Portman said. "With this decision, we look forward to examining the subpoenaed documents that Backpage has withheld. We are committed to continuing our bipartisan investigation and ensuring that our laws effectively protect the most vulnerable from sex traffickers and businesses that aid them."

**Coal:** Sen. Brown welcomed more than \$1 million in federal relief funding to Ohio miners and their families that have experienced layoffs.

The Department of Labor announced the funding to the Ohio Department of Job and Family Services this month to fund reemployment efforts for those workers. The award brings Ohio's total federal funding to \$2 million, including a \$916,250 grant from 2015.

"The changing coal economy has put some workers out of a job through no fault of their own," Sen. Brown said. "This grant will give Ohio the tools to continue its support for displaced workers and help them get back on their feet."

**Drugs:** Sen. Portman joined Walgreens workers as they unveiled 18 drug take-back kiosks for their Ohio stores.

In a Toledo press conference, the lawmaker voiced his support for the effort announced in February, which will culminate in the kiosks being placed in 500 of the chain's stores across the country.

"Addiction to prescription painkillers has reached epidemic levels in Ohio and across the country," Sen. Portman said. "Fighting back against this epidemic will require all of us working together at the federal, state, and local community level."

**Women's Summit:** Sen. Brown announced the second annual Women's Leadership Summit will take place at 9 a.m. Saturday at the Global Center for Health Innovation in Cleveland. For more information and a list of speakers visit the event's website.

"Ohio women are achieving remarkable things, and we must build on their success so all women can have an opportunity to succeed," Sen. Brown said. "The Women's Leadership Summit aims to celebrate the accomplishments of women and highlight strategies for overcoming obstacles to success."

**Court Briefs: Court Rules Meigs County Charter Proposal Should Move Forward; Man Injured At Basketball Game Loses Case; Attorneys Reprimanded...**

Voters in Meigs County could soon have the opportunity to change their form of government.

The Ohio Supreme Court on Tuesday ruled that the county's board of commissioners erred by not approving a resolution to place a charter amendment on the ballot in 2015.

The 4-3 per curiam decision reverses a Fourth District Court of Appeals ruling.

The commissioners received a letter from the board of elections on July 2, 2015 stating that a petition filed by Meigs County Home Rule Committee had a sufficient number of valid signatures to be placed on the November ballot, the court reported.

However, the commissioners in a July 9 letter back to the board said the July 2 letter was incomplete and lacked certain information. In a special meeting on July 14, the commissioners failed to certify the issue for the ballot because they said the board of elections failed to meet the deadline to submit a report at least 120 days prior to the election.

"But even if the first letter were insufficient, when the board of elections ultimately certifies the validity of a petition and the delay was not the fault of the initiative's supporters, a writ of mandamus will issue to place the matter on the ballot. Any other result would be unfair and thwart the constitutional right of initiative," the court wrote in its decision.

Citing a 2015 case in which Secretary of State Jon Husted invalidated a county charter initiative on the grounds that the proponents did not propose a form of county government, the commissioners argued that committee also failed to propose a form of county government.

However, the court found that is a determination for Secretary Husted to make.

"We will not intrude into the process before the secretary has had a chance to exercise his discretion," the majority wrote.

Chief Justice Maureen O'Connor and Justices Judith Ann Lanzinger, Judith French and Bill O'Neill constituted the majority.

Justices Paul Pfeiffer and Sharon Kennedy joined a dissenting opinion in which Justice Terrence O'Donnell sided with the appellate court.

**Injury:** A man who was injured as he attempted to sit in a seat that broke and dropped to the ground at a University of Akron basketball game will receive no financial compensation, the Court of Claims ruled.

The court found that Raymond Williams failed to prove that the university did not exercise ordinary or reasonable care and denied his claim for \$10,000 in damages.

Mr. Williams claimed the fall resulted in more than \$5,000 in medical bills, the Ohio Supreme Court reported.

However, a university investigation found that Mr. Williams told a responding usher and supervisor that he did not fall because he caught himself as the chair broke and that he declined medical attention at the time.

**Reprimands:** The Ohio Supreme Court has issued three public reprimands:

- Justin E. Fernandez of Cincinnati for allegedly neglecting a client's legal matter and the improper use of an out-of-state company to provide paralegal and paraprofessional services.
- Steven B. Beranek of Medina for allegedly failing to inform his clients that he did not have professional liability coverage.
- Patrick L. Clifton of Crestview Hills, Kentucky for allegedly violating the rule that prohibits a lawyer from knowingly making a false statement to a tribunal and engaging in conduct involving dishonesty, fraud, deceit or misrepresentation.

**Conviction:** The Bureau of Workers' Compensation announced the conviction of a man a Toledo man who used a fake identity to collect benefits.

David Abitua, 51, pleaded guilty Aug. 18 in Franklin County Common Pleas Court to one fifth-degree felony count of workers' compensation fraud, according to BWC.

"If you try to cheat the workers' compensation system, even while hiding under a false identity, we will find you and prosecute you to the fullest extent of the law," Sarah Morrison, Administrator/CEO for the BWC, said in a statement. "Workers' compensation fraud raises costs for everyone in the system and diverts resources needed for injured workers and making Ohio workplaces safer."

Using a false Social Security number and the alias of Jose L. Vasquez, Mr. Abitua collected injured workers' benefits from November 2009 until October 2012.

#### **Supplemental Agency Calendar**

**Thursday, September 8**

Broadcast Educational Media Commission, 2470 North Star Road, Columbus, 10 a.m.

Children's Trust Fund, 77 South High Street, 13th Floor East Conference Room, Columbus, 10 a.m.

#### **Supplemental Event Planner**

**Wednesday, September 7**

House Democrats legislative agenda news conference, West Steps, Statehouse, Columbus, 11 a.m.

**Release of August casino revenue figures, 1:30 p.m.  
Sunday, September 11**

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**Rep. Kyle Koehler (R-Springfield) fundraiser, Echo Ridge Farm, 4674 Hominy Ridge Rd.,  
Springfield, 2 p.m., (Sponsor: \$1,000; Host: \$500; Partner: \$350 to Citizens to Elect Kyle  
Koehler)**

**Thursday, September 29**

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**Sen. Bill Coley (R-Liberty Twp.) fundraiser, Keller residence, 8325 Princeton Road, Liberty Twp.,  
6 p.m., (\$1,000 Event Host | \$500 Event Chair | \$250 Event Sponsor | \$100 Individual to Friends  
of Bill Coley)**

**Monday, October 10**

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**Sen. Peggy Lehner (R-Kettering) fundraiser, K-12 Gallery and TEJAS, 341 S Jefferson St.,  
Dayton, 5 p.m., (Special Guest: Sen. Obhof. \$2,500 Michelangelo Sponsor | \$1,000 Van Gogh  
Sponsor | \$500 Picasso Sponsor | \$150 per Couple | \$100 per Individual to Citizens for Lehner)**

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**Click the # after a bill number to create a saved search and email alert for that bill.**

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## House Activity for Tuesday, September 6, 2016

### INTRODUCED

**HB 594** ■ **COMMUNITY SCHOOLS (Roegner, K.)** Regarding public moneys returned to the state as a result of a finding of recovery issued pursuant to an audit of a community school. Am. 3314.52

### HOUSE SPEAKER'S APPOINTMENTS

State Audit Committee: Ranjan Manoranjan

Ohio Public Employees Deferred Compensation Board: Rep. Boggs

Task Force for Creating Opportunities for Shared Governance on Co-Located Campuses: Representative Schuring; Dr. Para M. Jones and Natasha Pollock

Insurance Committee: Appoint Rep. Brinkman as chair

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## Daily Activity Planner for Wednesday, September 7

### Legislative Committees

No legislative committees scheduled.

### Agency Calendar

**Board of Building Appeals, Ohio Department of Transportation, District Three Office, Conference Room, 906 Clark Avenue, Ashland, 8:30 a.m.**  
**Board of Building Standards, 6606 Tussing Road, Training Room 1, Reynoldsburg, 9 a.m. (Code Committee)**  
**Real Estate Commission, Division of Real Estate and Professional Licensing, 77 South High Street, 22nd Floor, Columbus, 9 a.m.**  
**Southern Ohio Agricultural & Community Development Foundation, 100 S. High St., Hillsboro, 9 a.m. (Agriculture Development Committee)**  
**Petroleum Underground Storage Tank Release Compensation Board, 50 West Broad Street - Suite 1500, Columbus, 10 a.m.**  
**State Personnel Board of Review, 65 E. State St., 12th Fl., Columbus, 10 a.m.**  
**Public Utilities Commission of Ohio, 180 E. Broad St., 11th Fl., Columbus, 1:30 p.m.**

### Event Planner

**Sen. Bill Beagle (R-Tipp City) & Sen. Bob Peterson (R-Sabina) golf outing fundraiser, County Club at Muirfield Village, 8715 Muirfield Drive, Dublin, 8:30 a.m., (\$1,000 Total Contribution. Golfers pay for their own golf. Please make separate checks for \$500 each payable to Citizens for Bill Beagle & Peterson for Good Government)**  
**House Democrats legislative agenda news conference, West Steps, Statehouse, Columbus, 11 a.m.**  
**Rep. Scott Ryan (R-Newark) and Rep. Rob McColley (R-Napoleon) fundraiser, Due Amici, 65 E. Gay Street, Columbus, 11:30 a.m., (Chair: \$1,000; Sponsor: \$500; Host: \$350 to Citizens for Scott Ryan and/or Citizens for McColley)**  
**Release of August casino revenue figures, 1:30 p.m.**  
**Sen. Jim Hughes (R-Columbus) fundraiser, Victory's, 543 S. High St., Columbus, 5 p.m., (Sponsor: \$2,500, Host: \$1,500, Patron: \$1,000 to Committee for Jim Hughes)**

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**From:** Gongwer News Service  
**Sent:** Tuesday, September 6, 2016 5:49 PM  
**To:** Rep48  
**Subject:** Ohio Report, Tuesday, September 6, 2016  
**Attachments:** Sep6House.htm; 160906dayplan.htm; Sep6.htm



## **Ohio Report for Tuesday, September 6, 2016**

Stakeholder Group Reconvenes To Recommend Sponsor Evaluation Updates

House District 16: Cuyahoga Councilman Faces Democratic Operative In Battle For Baker Seat

Buckeye Institute Calls For More Union Decertification Votes, Policy Matters Ohio Urges Lawmakers To Promote Unionization

State Board Looking To Help 2,000 Displaced Ohio ITT Students

Ohio Sees Drop In Obesity Rate, But Trends Show Continued Rise In Diabetes, Hypertension, Report Says

Trump, Clinton Spend Holiday Campaigning In Ohio

Democratic PAC Cancels \$3M More In Strickland Ads; Nicklaus Backs Portman

From Congress: Brown, Portman Praise Trade Ruling On Steel; Kaptur Welcomes \$2M In Housing Funds; Latta Tours OSU Radio Optics Lab...

Court Briefs: Court Rules Meigs County Charter Proposal Should Move Forward; Man Injured At Basketball Game Loses Case; Attorneys Reprimanded...

Supplemental Agency Calendar

Supplemental Event Planner

## **Activity Reports**

House

## **Calendars**

Day Planner

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## House Activity for Tuesday, September 6, 2016

### INTRODUCED

**HB 594** ■ **COMMUNITY SCHOOLS (Roechner, K.)** Regarding public moneys returned to the state as a result of a finding of recovery issued pursuant to an audit of a community school. Am. 3314.52

### HOUSE SPEAKER'S APPOINTMENTS

State Audit Committee: Ranjan Manoranjan

Ohio Public Employees Deferred Compensation Board: Rep. Boggs

Task Force for Creating Opportunities for Shared Governance on Co-Located Campuses: Representative Schuring; Dr. Para M. Jones and Natasha Pollock

Insurance Committee: Appoint Rep. Brinkman as chair

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## Volume #85, Report #172 -- Tuesday, September 6, 2016

### Stakeholder Group Reconvenes To Recommend Sponsor Evaluation Updates

A group of charter school sponsors who previously worked to update the process by which they are evaluated has reunited to offer new recommendations as the Ohio Department of Education heads back to the drawing board.

Sponsors have been raising concerns about a change in evaluation practices since they were introduced last year, but the time is ripe for them to step in and make their voices heard following the Joint Committee on Agency Rule Review's shelving of a rule dealing with the compliance portion of the reviews.

St. Aloysius representative Dave Cash said he recently reconvened a stakeholder group that had been defunct for the past three years, hoping that JCARR's decision could provide an opportunity for members to provide feedback and offer suggestions on the evaluations.

JCARR leaders have since said they expect the ODE to present an updated rule and the Common Sense Initiative has asked the agency to collect additional public comments.

"We anticipated JCARR would send the rule back and get stakeholder feedback that they did not get the first time. Who better to try to provide some of that stakeholder input than the ones who were involved in the evaluation to begin with?" Mr. Cash said in an interview.

"We've put a significant amount of resources into trying to put an evaluation tool together that was then not finished out and then not implemented well and it all fell apart. We felt it was our obligation to try to step up and offer recommendations to fix it."

The group, which includes representatives from the Ohio Association of Charter School Authorizers, Ohio Coalition for Quality Education, Ohio Alliance for Public Charter Schools, Reynoldsburg City Schools, and the Thomas B. Fordham Foundation, originally began meeting in 2012.

At that time, members - who were also joined by representatives of the National Association of Charter School Authorizers and ODE employees - spent a year and a half crafting a process to measure sponsor compliance and piloting it throughout the state.

Their recommendations on compliance became part of the previous sponsor evaluation that was never fully implemented and was ultimately revamped because it came to light that sponsor ratings were miscalculated by then-Office of School Choice Director David Hansen.

Sticking with some of the same premises as the last time they were active, the group is also taking into consideration new laws as it drafts updated recommendations, some of which have already been presented to CSI and ODE, Mr. Cash said.

Earlier this week, the group created a process and timeline for the compliance portion of the evaluation. It would require the validation of just 10% of the items on the compliance list, but those items would be selected at random.

The group has also suggested that a number of items be removed from the list, the OCQE's Beth Lear said. Of the 319 items schools were required to verify compliance with, the group found that 15 were not required under law, 12 required sponsors to confirm a negative and 78 were documents to which ODE already has access.

Their recommendations were submitted the same day Superintendent of Public Instruction Paolo DeMaria sent the State Board of Education a memo stating that the agency would revert back to the current rule for the compliance portion of the reviews and continuing working on the new proposal. (See Gongwer Ohio Report, September 1, 2016)

Under those compliance guidelines, ODE would examine whether all rules and laws are being met at just 10% of sponsors' schools as opposed to all of them.

Mr. Cash said that system isn't preferable because sponsors only have to certify that a number of the compliance items are being met.

Allowing sponsors to verify information without a system in place to check for validity puts the state back in the same position it was in when it asked the stakeholder group to make recommendations for a new evaluation process in 2012, he said.

"We wanted to make sure who was performing well and who was not performing well. We wanted tools so we could show we were doing the work we said we were doing," he said, adding that the previous evaluation system simply required sponsors to tell the agency whether they were meeting standards or not.

Mr. Cash said ODE has not responded to the new recommendations or voiced interest in rejoining the conversation.

"They've got to be a partner with us in this work," Mr. Cash said. "They're responsible for the Ohio system of public education and there are 400 charter schools and 120,000 students (that attend them) - that's a significant portion of Ohio's public education system and we need ODE to be partner with us on that so we can keep doing good work."

Ms. Lear said it's also important for ODE to work with sponsors on evaluation system updates because the agency also sponsors a number of charter schools.

"It doesn't really look good for one sponsor to be setting the rules for all sponsors," she said in an interview.

ODE's Brittany Halpin said, "We've received the letter and we always appreciate the input of our stakeholders."

Up next, the group said it plans to offer suggestions for changing the quality and compliance portions of the evaluations following a Sept. 12 meeting.

Mr. Cash said the latest academic portion of the review is concerning because it's centered on report card scores of schools in sponsors' portfolios, despite the fact that sponsors do not have the ability to make curriculum decisions or choose school teachers and leaders.

"All I can do as a sponsor is say, 'You promised you were going to have a school that was going to perform at this level and so far you're not getting there.' I don't have the ability to go ahead make a direct impact on their performance," he said.

### **House District 16: Cuyahoga Councilman Faces Democratic Operative In Battle For Baker Seat**

The race to replace term-limited Rep. Nan Baker (R-Westlake) for a seat in suburban Cleveland pits a Republican veteran of local government against a young native of the area with experience working in state and national politics.

Republican nominee Dave Greenspan, 51, of Westlake, is a member of Cuyahoga County Council who moved to Ohio in 2007 from the Atlanta area. He faces Democrat Tommy Greene, 28, a Bay Village native who is the son of a steelworker and a teacher's aide.

Neither candidate faced a primary challenge in the district, which leans Republican.

Mr. Greenspan touted his experience in local government and his ability to work across the aisle. A native of New Jersey who's lived in a number of states and attended Troy University in Alabama, he served on the inaugural city council in Sandy Springs, Ga., when the city was incorporated in 2005. After moving to the Cleveland area in 2007, he was elected to the first Cuyahoga County Council in 2010.

He immediately focused on ethics, chairing the council's ethics committee, he said.

"Coming into a new government, especially one coming out of such deep-rooted corruption, I felt it was very important that the residents and businesses of Cuyahoga County and Northeast Ohio knew that their government was going to be working for them," he said in an interview.

The married father of three doesn't just start up local governments. He has an accounting degree and has spent much of his career as a chief financial officer for a number of companies, mostly startup ventures. He's also been the chief operating officer for the PGA Tour radio network.

He now runs a small business, Green Elk Consulting Services, which provides financial and other advice to startup and turnaround businesses.

Mr. Greene is a graduate of Ohio University who has worked for Equality Ohio and interned for Sen. Sherrod Brown (D-Avon). He now works in business development for North Water Partners, a company in the Ohio City area of Cleveland.

The Democrat grew up in Westlake and Bay Village. He said part of the reason he became interested in politics was because his father lost his job when the steel mill where he worked closed in 2001. Following that, his father took him to a rally that included Sen. Brown and former U.S. Rep. Dennis Kucinich.

"That's when I realized that when families are going through a hard time, they turn to their elected officials not for a handout or for them to answer all of their problems, but to be standing with them when things are going wrong and to be able to provide solutions to make the families a little bit stronger in the future," Mr. Greene said in an interview.

Families, through jobs and education policy, will be a focus for Mr. Greene.

"I kind of view my role as being able to strengthen Ohio's families," he said. "There's a handful of ways we can do that," including more oversight of charter schools. Education funding, particularly for public schools, will be a priority, he said.

He also said he wanted to see more infrastructure development, including pushes for Ohio to develop more clean energy products. Toledo could build more solar panels, for example, he said.

"We have a proud manufacturing history and Ohio has to be a place where we build things," he said. "We can't just be a 100% service sector economy. We have to be a manufacturing state in Ohio."

Mr. Greenspan said he has focused on a wide variety of issues during his time in public office, and believes a comprehensive approach is important. Education and drug problems are both tied to jobs.

A priority for the state, he said, is to develop a workforce of people who are able to do jobs and pass drug tests.

"We have to continue to develop what I refer to as a competent workforce. I think we all can agree that the state is continuing to move the needle in a positive direction toward workforce development," he said, but the work needs to continue.

He said he wants to see a "holistic, total" approach to the economy, one that includes focusing on education to produce good workers, luring in a wide variety of industries, and matching qualified workers with open positions.

"If you look at it in its totality, if you look at it as one big direction to move our state, it's my belief that all of those issues move us in a positive direction," he said.

"Unless you've lived this, unless you've served at the city level, unless you've served at the county level, it's hard to understand how these issues come together," he said.

Mr. Greene, who is openly gay, said nondiscrimination is also an economic development issue. When he worked for Equality Ohio, he said, one of his duties was to talk to executives about the need for nondiscrimination laws in order to recruit talented workers from other parts of the country.

"If Ohio is going to be open for business, we need to be open for talent," he said.

Mr. Greene said his campaign team has been organized and working in the community to spread his message.

"I'm out there every day talking to voters about how we're going to move our state forward," he said.

"I believe regular working families need an advocate in Columbus," he added.

Mr. Greenspan said he believes his experience as an elected official - particularly in a county council district that spans the same cities as the legislative district - sets him apart. He said he is also stressing his willingness to work across the aisle to get things done.

"We have to be able to all work together, collectively, to create the environment in our state to move in the right direction," he said.

His campaign has knocked on more than 27,000 doors already, he said.

"I've represented this district for nearly six years. I believe that I understand the opportunities and the challenges of the district," he said.

### **Buckeye Institute Calls For More Union Decertification Votes, Policy Matters Ohio Urges Lawmakers To Promote Unionization**

In the wake of the Labor Day holiday, two groups offered competing visions on how to improve the lives of working Ohioans.

In a report released by the Buckeye Institute, the group proposed that Ohio lawmakers make it easier for state and local government employees to decertify their unions. Policy Matters Ohio, meanwhile, released a report calling for lawmakers to make it easier to join and form unions.

According to the Buckeye Institute's report, "One Man, One Vote, One Time? Re-election Votes Hold Unions Accountable to Their Members," there are more than 3,100 bargaining units covering about 300,000 state and local government employees across Ohio. However, most of those employees have had no say in their representation, it said.

"Ohio makes it very difficult for workers to have a voice in their unions," Robert Alt, Buckeye's president and CEO, said in a statement. "Under current law, the ability for union workers to hold an election is far more cumbersome than how we conduct our elections for public officials. And elections keep people accountable."

In the past three years, just 14 validly submitted decertification petitions have been submitted to the Employment Relations Board. Unions prevailed in three of those re-election efforts, the report found.

The report, however, said the decertification process is a cumbersome one, providing a 30-day window in which 50% of government employees in a bargaining unit need to sign a petition to trigger a vote.

"Just as voters hold their public officials accountable so, too, should workers be able to call for better representation," Rea Hederman Jr., executive vice president of The Buckeye Institute, said. "Ohio should follow the lead of other states by requiring their government unions to regularly stand for re-election, which will only improve their responsiveness to member needs."

The report goes on to list several complaints unionized employees have with their bargaining units, including dues spent on political activities, leaders' salaries and "insufficient" leadership elections.

"Union members should have the freedom to regularly decide whether to remain unionized. Such re-election votes would make unions more accountable to their members," the report concludes. "They would force union leaders to serve their members' interests instead of pursuing their own priorities. Workers deserve the ability to hold their union regularly accountable. Meaningful representation does not mean one man, one vote, one time."

But in its report, "Still struggling: State of Working Ohio 2016," Policy Matters Ohio says lawmakers should be promoting unionization.

Unionized workers in Ohio made about \$4 more per hour than their non-unionized counterparts in 2015, according to the report.

"Unions improve wages but Ohio's legislators and governor have often taken steps to weaken unions and reduce the number of workers who can get the protection, training and compensation benefits that come with being a member of a labor union. In order to broaden unionization in Ohio, the state should reject the misnamed 'right-to-work' initiative - states that take this approach end up with lower wages," the report reads

"Ohio should also allow home health workers and childcare workers to become part of a union - two particularly important and low-wage occupations that were once promised the right to organize into unions. For both groups, Gov. Kasich has eliminated the right to join a union and bargain collectively."

The report goes on to state that unions can reduce inequality for black and female workers. It found that black unionized workers make \$4.31 more per hour than their non-unionized counterparts while women in unions make \$3.91 more per hour.

"Ensuring that more workers can join unions will better spread the benefits of unionization," the report states.

### **State Board Looking To Help 2,000 Displaced Ohio ITT Students**

ITT Technical Institute's parent company announced Tuesday it is pulling the plug on its 137 campuses across the country, officially displacing about 2,000 Ohio students and an unknown number of employees.

Left to help fill in the gap is the Ohio State Board of Career Colleges and Schools, which is stepping in to ensure displaced students aren't left behind by the closure of the Indiana-based company that served nearly 45,000 students in 38 states.

"This is going to be a difficult process I'm sure, but we'll continue to work with the students," Board Executive Director John Ware said in an interview.

The closure had been expected ever since the federal government late last month unveiled an array of penalties, including banning the school from enrolling students with federal financial aid, after the school was found to be out of compliance with accreditation criteria.

The company on Tuesday confirmed that after assessing its options, the sanctions were deemed a death knell.

"It is with profound regret that we must report that ITT Educational Services, Inc. will discontinue academic operations at all of its ITT Technical Institutes permanently after approximately 50 years of continuous service," the company announced in a press release.

"With what we believe is a complete disregard by the U.S. Department of Education for due process to the company, hundreds of thousands of current students and alumni and more than 8,000 employees will be negatively affected."

As of Tuesday, the company had already eliminated the "overwhelming majority" of its employees and said remaining staff members are prioritizing helping displaced students determine their options.

The state board has been working on contingency plans for the students enrolled at ITT's nine Ohio campuses since the August penalties were announced, Mr. Ware said. The fact that those campuses are spread out across all corners of the state poses a particular challenge, he added.

He said the board has been working to enlist other schools for teach-out agreements in which case the school would agree to accept displaced students' ITT credits and any related financial aid. The board will be emailing a list of those schools to students this week, he said.

"Sometimes it depends on how far along in their program they are and what program they are in so we'll have to figure that out for each student - what they need to do," he said.

Alternately, he said, the board will work to connect students unable to continue their program elsewhere with the U.S. Department of Education where they could receive a loan discharge.

"We'll work with ITT to make sure students have access to their transcripts and records and anything like that the students would need going forward," Mr. Ware said. "We've already had communication about this and I know ITT was going to send an email with some of this information out to their students sometime today."

ITT's closure is the latest result of a crackdown of the federal government on for-profit colleges, although Mr. Ware said most previous closures "have been more orderly than this."

"It's been a painful process," he said.

Among the penalties levied against ITT was a requirement the company increase its existing surety from \$94 million to more than \$240 million - or 40% of all Title IV aid the school received in 2015 payable in full. The company pointed to that stipulation specifically as to why it is unable to continue operations.

"We believe the government's action was inappropriate and unconstitutional, however, with the ITT Technical Institutes ceasing operations, it will now likely rest on other parties to understand these reprehensible actions and to take action to attempt to prevent this from happening again," the company said.

In a message to ITT students, U.S. Education Secretary John King acknowledged the news will have a "deeply personal" impact on affected students and, vowing to support students as they work through their options, encouraged students to not give up on their education.

**Ohio Sees Drop In Obesity Rate, But Trends Show Continued Rise In Diabetes, Hypertension, Report Says**

Ohio was one of four states that saw its obesity rate fall in 2015, according to a report from the Trust for America's Health and the Robert Wood Johnson Foundation.

The Buckeye State ranked 26<sup>th</sup> in the U.S. with an adult obesity rate of 29.8%. That's down from 32.6% a year earlier.

Although Ohio saw a drop year-over-year, the rate was still well above what it was a decade earlier, when 24.9% of Ohio adults suffered from obesity, according to the report. In 1995, the rate was 16.1%.

The drop in Ohio and three other states - Minnesota, Montana and New York - was the first time in the last decade that any states experienced decreases except for Washington, D.C., in 2010.

Louisiana had the highest rate of obesity at 36.2%, while Colorado had the lowest at 20.2%.

Ohio had the 14<sup>th</sup> highest rate of obesity among children ages 10-17, at 17.4%, and was 35<sup>th</sup> in obesity for children ages 2-4 from low-income families, with 12.4%.

The report also cited a number of obesity-related health issues. Ohio was 17<sup>th</sup> in adult diabetes, with 11% of adults suffering from the disease. That number was down from a year before, but the overall trend remains upward - Ohio is expected to go from just over 1 million cases of diabetes in 2010 to nearly 1.6 million in 2030 at its current pace.

Even more Ohio adults suffer from hypertension. Ohio was 13<sup>th</sup> in that category, with 34.3% of adults having the condition. The number of cases is expected to rise from 2.3 million in 2010 to nearly 3.1 million in 2030 at its current pace.

Cases of heart disease and obesity-related cancer are both expected to rise dramatically over the next two decades, the report said, while arthritis cases are likely to decrease.

The State Health Assessment cited obesity among the chronic conditions that pose serious health risks to the state. That report cited links between obesity and other chronic conditions, and noted the racial and geographic disparities among them. (See Gongwer Ohio Report, August 22, 2016)

The SHA found obesity to be a problem cited by public health experts in all areas of the state and among a wide variety of different groups. The report cited nutrition and physical activity as possible contributing factors and opportunities for improvement.

"Although Ohio's high prevalence of obesity and diabetes indicate that much more progress is needed on physical activity, this assessment finds that Ohio has some strengths in this area," the SHA said. "First, the percent of Ohio adults reporting no leisure-time physical activity declined from 2013 to 2014 and met the Healthy People 2020 target. Second, regional forum participants in most areas of the state identified their active living environments as a characteristic that made them proud of their

community, and all regions identified a positive active living environment as one of the most important characteristics of a healthy county or region."

The Trust for America's Health report on obesity also found racial disparities in obesity. Among white Ohioans, the rate of obesity was 30.5%, while it was 37.1% among black Ohioans.

The gap was narrow between men and women, with 30.5% of men and 29.7% of women. For different age groups, it was wider, with the obesity rate among Ohioans 45-64 at 36.3%, compared to 29% for those 65 and older, 27.9% for those 26 to 44 and 17.8% for those 18-25.

Dana Schmersal, a spokeswoman for Voices for Ohio's Children, said policymakers should continue to work on programs to improve childhood nutrition.

"We are very glad to see the downward trend for childhood obesity rates in Ohio," she said in an email. "Child nutrition, however, remains a key issue across the state as both obesity and food insecurity impact far too many Ohio families, leaving our state to face the expensive cognitive, behavioral, educational, economic and health consequences that follow. Of course, it is not enough to make food more accessible and nutritious - we must work with schools, child care providers, and communities to ensure that meals are consistent with a healthier lifestyle supported by comprehensive health and physical education inside and outside of the classroom."

### **Trump, Clinton Spend Holiday Campaigning In Ohio**

GOP nominee Donald Trump and Democratic nominee Hillary Clinton ventured back to the Buckeye State Monday as they continued to court voters.

Ms. Clinton spoke at a Cleveland rally, where she and vice presidential candidate Tim Kaine stressed the importance of the state in the electoral landscape.

"You're used to this," Sen. Kaine told Ohio voters, saying the election has entered the "home stretch."

"You're used to the fact that you're one of the two or three most important states in any presidential election going back since there were presidential elections," he said.

In her remarks to the crowd, Ms. Clinton again questioned Mr. Trump's suitability for the office of president. She also touted a newly announced book, written by herself and Sen. Kaine, called "Stronger Together" that will showcase their plan for the future.

"We are stronger together, and that is in stark contrast to Donald Trump," she said. "When he says, 'I alone can fix it,' he doesn't understand how America works."

Mr. Trump that same day participated in a labor roundtable Monday at a Brook Park American Legion post. Media access was limited at the event, which was only first announced that morning.

"I was happy to show Mr. Trump first-hand some of the challenges that we have faced in Northeast Ohio, with local plants shutting down and jobs leaving for overseas," Brook Park Mayor Tom Coyne said in a statement released by the campaign. "Mr. Trump speaks our language, I think he's more comfortable talking to labor and working class people than he is talking to bankers, and it shows."

Mr. Trump then attended the Canfield Fair, while at the same time Clinton surrogates launched attacks seeking to undermine Mr. Trump's attempt to draw blue-collar support.

"Hillary Clinton knows that America is already great because of your hard work, because of your values, your integrity," AFL-CIO President Richard Trumka told those at the fair. "She knows that our economy is strongest when we can band together and negotiate for better wages, better benefits and better working conditions. She wants to rewrite the rules of the economy so that working people win and not just billionaires, like Donald Trump, win."

The Clinton campaign on Tuesday evening is scheduled to open its latest organizing office, this one in Delaware County. The campaign has launched more than three dozen such offices across the state.

Mr. Trump, meanwhile, rated two points above Ms. Clinton in a Tuesday national poll from CNN/ORC. Mr. Trump earned 45% to Ms. Clinton's 43%, putting the pair at a statistical tie when accounting for the margin of error.

Libertarian Gary Johnson and Green Party candidate Jill Stein earned 7% and 2% respectively in that survey.

#### **Democratic PAC Cancels \$3M More In Strickland Ads; Nicklaus Backs Portman**

A national super PAC has canceled \$3 million worth of additional ads it planned to air supporting U.S. Senate candidate Ted Strickland.

The Senate Majority PAC announced the additional cuts Tuesday - the second such reduction the group has made in the last month. A spokesman said the group was seeking to "maximize resources."

The group had already scrapped ads set for later this month. But the additional cuts for ads previously set to air between Sept. 20-Oct. 10 mean the PAC will have no pro-Strickland advertising on Ohio airwaves until October at the earliest.

Strickland campaign spokesman David Bergstein in a statement downplayed the move, which is seen as the latest sign of Mr. Strickland losing ground to his opponent U.S. Sen. Rob Portman, saying "there's still a lot of race left to run."

"We just recently launched our paid media campaign, the national environment is rapidly deteriorating around Portman, he's facing a daily firestorm about his continued support for Trump - and Portman's small, weak field operation can't compete with the Ohio Democratic Party's coordinated field campaign which has hundreds of organizers and volunteers across the state working to elect Ted, Secretary Clinton and Democrats at every level," Mr. Bergstein said.

"Ted's going to do what he does best: campaign vigorously across Ohio, talking about the central contrast in this race - he's fighting for working people because that where he comes from and that's who he cares about, while Senator Portman is looking out for his rich and powerful friends," he continued.

The PAC had already cancelled about \$191,000 worth of ads previously intended to run between Sept. 6-19. At the same time, the Democratic Senatorial Campaign Committee announced it was pushing back the launch of its own ads by one week, cancelling about \$500,000 in reserved airtime in September and moving that money to support the campaign's own advertising. (See Gongwer Ohio Report, August 30, 2016)

The network run by brothers and GOP donors Charles and David Koch then announced they had cancelled pro-Portman ads to the tune of \$2.1 million. (See Gongwer Ohio Report, August 31, 2016)

The Ohio Democratic Party and U.S. Rep. Tim Ryan (D-Niles) came to the former governor's defense Tuesday at a press conference blasting Sen. Portman for "turning his back" on the auto industry.

"It's the central contrast in this race: Ted is fighting for Ohio's working families, while Sen. Portman is pushing the agenda of his rich and powerful friends in Washington," Rep. Ryan said. "We need someone who represents our values. It's pretty simple - working families need Ted Strickland in the U.S. Senate."

Mr. Strickland did land the endorsement of the Sierra Club Tuesday, which in turn drew the ire of the Ohio Coal Association which released a statement criticizing Mr. Strickland's stance on coal.

Sen. Portman, meanwhile, enlisted the help of famed golfer Jack Nicklaus with a new ad that is part of a \$15 million ad campaign that has already begun to air.

"Rob is the real deal, he's making a difference in standing up for American manufacturing, and he's fighting to strengthen our military to keep us safe. Rob Portman is Ohio's champion," Mr. Nicklaus says in the ad.

The Portman campaign used the Ohio State University football opener Saturday and a related Snapchat filter to expand its outreach to students and fans.

"We are proud to work with our impressive Students for Portman group, which is organized on more than 30 campuses and has helped us contact more than 3.5 million targeted voters," Portman campaign spokeswoman Michawn Rich said. "The coalition is helping ensure Rob's message of pro-growth policies for better wages and more jobs reaches students across Ohio during this campaign."

### **From Congress: Brown, Portman Praise Trade Ruling On Steel; Kaptur Welcomes \$2M In Housing Funds; Latta Tours OSU Radio Optics Lab...**

Ohio's U.S. senators praised a recent International Trade Commission finding that the country's steel industry has been hurt by cold-rolled steel imports from other countries.

The ITC determined imports from Brazil, India, South Korea and the United Kingdom have all played a role in harming the industry, but stopped short of listing Russia as having engaged in unfair trade practices.

U.S. Sen. Rob Portman (R-Terrace Park) and U.S. Sen. Sherrod Brown (D-Avon) both welcomed the ITC's determination, with Sen. Portman in a statement calling the situation facing Ohio's steelworkers a "crisis."

"Nearly 1,500 Ohio steelworkers were laid off last year through no fault of their own," Sen. Portman said. "Today the ITC recognized exactly what I told them: that unfair, dishonest practices from competitors in these countries are hurting our communities. Our work is far from over, but today's ruling is another step in leveling the playing field, and it is another win for Ohio steelworkers."

Sen. Brown said unfair trade practices are threatening the stability of that and other industries. He had previously advocated that Russia be included in the ITC investigation.

"When other countries don't play by the rules, the U.S. government must take action to protect American manufacturers," Sen. Brown said. "It's disappointing that the ITC did not recognize Russia's unfair trade practices, but the enforcement of antidumping and countervailing duties on cold-rolled steel imports from Brazil, India, South Korea, and the United Kingdom is a good step forward in providing the steel industry with the relief it needs."

In other trade news, Sen. Portman last week criticized the European Union's ruling that Apple owes \$14 billion in back taxes, saying the ruling highlights the need for international tax reform.

"Retroactive taxes not based in the rule of law are an attack on all U.S. companies doing business globally," the senator said. "The Commission is blatantly attempting to take advantage of the antiquated U.S. international tax system, and at the end of the day, it's

U.S. taxpayers footing the bill. This decision is another indicator of the urgent need for international tax reform."

**Housing:** U.S. Rep. Marcy Kaptur (D-Toledo) applauded the recent award of more than \$2.1 million toward Cuyahoga County homeless veteran support.

The Department of Veterans Affairs announced the award to Cleveland-based Frontline Service to support "Operation Cleveland Home Front," a program that provides transitional housing to veterans and their families.

"No one who has served our country with dignity and honor should face the indignity of being without adequate shelter," Rep. Kaptur said, adding that the program "offers veterans and their families a helping hand through transitional, temporary housing, a chance that offers hope and the prospects of a second chance to make a better life for themselves and their families. These brave men and women served our country, and this support program is our service in return."

**Technology:** U.S. Rep. Bob Latta (R-Bowling Green) praised Ohio State University's ElectroScience Lab during a recent tour of the facility. The lab is one of the largest radio frequency optics research laboratories in the world.

"The work they are doing at the ElectroScience Lab is pushing the limits in advancing technology," Rep. Latta said. "The research that is being conducted will pay countless dividends in the wireless communication and radio frequency fields."

**Piketon:** Sens. Brown and Portman continue their efforts to secure funding for the ongoing cleanup of the Portsmouth Gaseous Diffusion Plant.

The two earlier this month asked Senate appropriators to include funding for the project in any short-term continuing resolution considered by the upper chamber. Continued funding for the effort, they said, is in jeopardy because the 2017 Energy and Water Appropriations bill passed by the Senate, which includes the funding, has not yet received House action.

"Portsmouth's D&D efforts are an integral part of the Department of Energy's commitment to the people of southern Ohio," the pair wrote to the Senate Appropriations Committee. "Continued operations at the present level are an essential part of that commitment."

**Backpage:** Sen. Portman chalked up another victory in lawmakers' ongoing legal proceedings against Backpage.com.

Sen. Portman and Sen. Claire McCaskill (D-Mo.) as leaders of the Senate Permanent Subcommittee on Investigations have long been focused on an uncooperative Backpage in their attempt to determine the website's role in facilitating sex trafficking.

In the latest development, the D.C. Circuit Court denied Backpage's request for a stay, meaning the company must now turn over all documents that have been subpoenaed to the committee within 10 days.

"Today's ruling is a major step forward in our efforts to stop the scourge of online human trafficking and stand up for its thousands of innocent victims across the United States," Sen. Portman said. "With this decision, we look forward to examining the subpoenaed documents that Backpage has withheld. We are committed to continuing our bipartisan investigation and ensuring that our laws effectively protect the most vulnerable from sex traffickers and businesses that aid them."

**Coal:** Sen. Brown welcomed more than \$1 million in federal relief funding to Ohio miners and their families that have experienced layoffs.

The Department of Labor announced the funding to the Ohio Department of Job and Family Services this month to fund reemployment efforts for those workers. The award brings Ohio's total federal funding to \$2 million, including a \$916,250 grant from 2015.

"The changing coal economy has put some workers out of a job through no fault of their own," Sen. Brown said. "This grant will give Ohio the tools to continue its support for displaced workers and help them get back on their feet."

**Drugs:** Sen. Portman joined Walgreens workers as they unveiled 18 drug take-back kiosks for their Ohio stores.

In a Toledo press conference, the lawmaker voiced his support for the effort announced in February, which will culminate in the kiosks being placed in 500 of the chain's stores across the country.

"Addiction to prescription painkillers has reached epidemic levels in Ohio and across the country," Sen. Portman said. "Fighting back against this epidemic will require all of us working together at the federal, state, and local community level."

**Women's Summit:** Sen. Brown announced the second annual Women's Leadership Summit will take place at 9 a.m. Saturday at the Global Center for Health Innovation in Cleveland. For more information and a list of speakers visit the event's website.

"Ohio women are achieving remarkable things, and we must build on their success so all women can have an opportunity to succeed," Sen. Brown said. "The Women's Leadership Summit aims to celebrate the accomplishments of women and highlight strategies for overcoming obstacles to success."

**Court Briefs:** Court Rules Meigs County Charter Proposal Should Move Forward; Man Injured At Basketball Game Loses Case; Attorneys Reprimanded...

Voters in Meigs County could soon have the opportunity to change their form of government.

The Ohio Supreme Court on Tuesday ruled that the county's board of commissioners erred by not approving a resolution to place a charter amendment on the ballot in 2015.

The 4-3 per curiam decision reverses a Fourth District Court of Appeals ruling.

The commissioners received a letter from the board of elections on July 2, 2015 stating that a petition filed by Meigs County Home Rule Committee had a sufficient number of valid signatures to be placed on the November ballot, the court reported.

However, the commissioners in a July 9 letter back to the board said the July 2 letter was incomplete and lacked certain information. In a special meeting on July 14, the commissioners failed to certify the issue for the ballot because they said the board of elections failed to meet the deadline to submit a report at least 120 days prior to the election.

"But even if the first letter were insufficient, when the board of elections ultimately certifies the validity of a petition and the delay was not the fault of the initiative's supporters, a writ of mandamus will issue to place the matter on the ballot. Any other result would be unfair and thwart the constitutional right of initiative," the court wrote in its decision.

Citing a 2015 case in which Secretary of State Jon Husted invalidated a county charter initiative on the grounds that the proponents did not propose a form of county government, the commissioners argued that committee also failed to propose a form of county government.

However, the court found that is a determination for Secretary Husted to make.

"We will not intrude into the process before the secretary has had a chance to exercise his discretion," the majority wrote.

Chief Justice Maureen O'Connor and Justices Judith Ann Lanzinger, Judith French and Bill O'Neill constituted the majority.

Justices Paul Pfeiffer and Sharon Kennedy joined a dissenting opinion in which Justice Terrence O'Donnell sided with the appellate court.

**Injury:** A man who was injured as he attempted to sit in a seat that broke and dropped to the ground at a University of Akron basketball game will receive no financial compensation, the Court of Claims ruled.

The court found that Raymond Williams failed to prove that the university did not exercise ordinary or reasonable care and denied his claim for \$10,000 in damages.

Mr. Williams claimed the fall resulted in more than \$5,000 in medical bills, the Ohio Supreme Court reported.

However, a university investigation found that Mr. Williams told a responding usher and supervisor that he did not fall because he caught himself as the chair broke and that he declined medical attention at the time.

**Reprimands:** The Ohio Supreme Court has issued three public reprimands:

- Justin E. Fernandez of Cincinnati for allegedly neglecting a client's legal matter and the improper use of an out-of-state company to provide paralegal and paraprofessional services.
- Steven B. Beranek of Medina for allegedly failing to inform his clients that he did not have professional liability coverage.
- Patrick L. Clifton of Crestview Hills, Kentucky for allegedly violating the rule that prohibits a lawyer from knowingly making a false statement to a tribunal and engaging in conduct involving dishonesty, fraud, deceit or misrepresentation.

**Conviction:** The Bureau of Workers' Compensation announced the conviction of a man a Toledo man who used a fake identity to collect benefits.

David Abitua, 51, pleaded guilty Aug. 18 in Franklin County Common Pleas Court to one fifth-degree felony count of workers' compensation fraud, according to BWC.

"If you try to cheat the workers' compensation system, even while hiding under a false identity, we will find you and prosecute you to the fullest extent of the law," Sarah Morrison, Administrator/CEO for the BWC, said in a statement. "Workers' compensation fraud raises costs for everyone in the system and diverts resources needed for injured workers and making Ohio workplaces safer."

Using a false Social Security number and the alias of Jose L. Vasquez, Mr. Abitua collected injured workers' benefits from November 2009 until October 2012.

### **Supplemental Agency Calendar**

**Thursday, September 8**

Broadcast Educational Media Commission, 2470 North Star Road, Columbus, 10 a.m.  
Children's Trust Fund, 77 South High Street, 13th Floor East Conference Room, Columbus, 10 a.m.

### **Supplemental Event Planner**

**Wednesday, September 7**

House Democrats legislative agenda news conference, West Steps, Statehouse, Columbus, 11 a.m.

**Release of August casino revenue figures, 1:30 p.m.  
Sunday, September 11**

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**Rep. Kyle Koehler (R-Springfield) fundraiser, Echo Ridge Farm, 4674 Hominy Ridge Rd.,  
Springfield, 2 p.m., (Sponsor: \$1,000; Host: \$500; Partner: \$350 to Citizens to Elect Kyle  
Koehler)**

**Thursday, September 29**

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**Sen. Bill Coley (R-Liberty Twp.) fundraiser, Keller residence, 8325 Princeton Road, Liberty Twp.,  
6 p.m., (\$1,000 Event Host | \$500 Event Chair | \$250 Event Sponsor | \$100 Individual to Friends  
of Bill Coley)**

**Monday, October 10**

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**Sen. Peggy Lehner (R-Kettering) fundraiser, K-12 Gallery and TEJAS, 341 S Jefferson St.,  
Dayton, 5 p.m., (Special Guest: Sen. Obhof. \$2,500 Michelangelo Sponsor | \$1,000 Van Gogh  
Sponsor | \$500 Picasso Sponsor | \$150 per Couple | \$100 per Individual to Citizens for Lehner)**

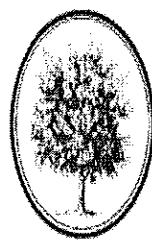
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**Scott Miller, President | Alan Miller, Vice President | Kent Cahlander, Editor | Melissa Dilley,  
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**Click the  after a bill number to create a saved search and email alert for that bill.**

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**From:** The Buckeye Institute  
**Sent:** Tuesday, September 13, 2016 4:19 PM  
**To:** Rep48  
**Subject:** U.S. Supreme Court decides on Ohio



## THE BUCKEYE INSTITUTE

### **U.S. Supreme Court: Ohio law on early voting will stand, Buckeye's Legal Center celebrates victory**

The final "vote" is in: The integrity of Ohio's early voting process will not be threatened, as the U.S. Supreme Court declined today to hear an appeal to overturn the state's generous early voting law. The Buckeye Institute's Legal Center supported the Ohio law in its legal briefing to the courts.

Today's decision is also a significant victory for Secretary of State Jon Husted, who defended the Ohio law.

"Ohio voters can go to the polls this fall knowing the integrity of the state's electoral process is more protected," Daniel J. Dew, Buckeye's criminal justice fellow said last month when the U.S. Court of Appeals for the Sixth Circuit ruled in Buckeye's favor. "Ohio voters, our law-making system, and the entire nation who will be watching our state this November won today."

The Buckeye Institute's Legal Center litigates at the local, state, and federal levels. It has submitted legal briefs to various courts, including the Supreme Court of the United States.

# # #

Founded in 1989, The Buckeye Institute is an independent research and educational institution—a think tank—whose mission is to advance free-market public policy in the states.

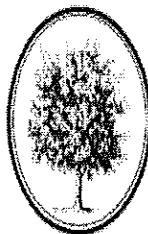
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**From:** The Buckeye Institute  
**Sent:** Wednesday, September 14, 2016 3:39 PM  
**To:** Rep48  
**Subject:** The right to vote



## THE BUCKEYE INSTITUTE

Workers deserve a voice – and a vote. As we showed in our Labor Day report, too many public and private sector workers don't have that opportunity. That is why The Buckeye Institute is telling their story.

Today, in The Columbus Dispatch, Buckeye's Rea S. Hederman Jr. wrote about how:

In two months, Ohioans will have the ultimate say on whether their public officials are representing them adequately. If they aren't, voters can bring about a change. Workers should have those same rights when it comes to their union representation.

After just one election, a union will remain workers' bargaining voice indefinitely, regardless of whether its leaders are keeping their campaign promises, spending members' dues properly, or representing employees appropriately in contract negotiations.

But don't take just our word for it. One national union leader admitted to the Washington Post that his union had taken "things for granted. We stopped communicating with people, because we didn't feel like we needed to." Worker voting rights no doubt would inspire that same leader, and others, to take a different approach.

For Rea's full story in the Dispatch, [click here](#). To learn more about what worker voting rights could do for Ohio, [click here](#) for The Buckeye Institute's latest report, "One Man, One Vote, One Time?"

# # #

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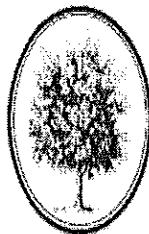
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**From:** The Buckeye Institute  
**Sent:** Friday, September 16, 2016 9:37 AM  
**To:** Rep48  
**Subject:** Jobs report shows labor takes dramatic hit



## THE BUCKEYE INSTITUTE

### **Ohio workforce again takes a dramatic hit, August jobs report shows**

**MEDIA CONTACT:** Jeff Reed, (614) 224-3255

COLUMBUS—Ohio's labor force suffered a dramatic hit in August, with 24,000 state residents no longer looking for work. Unemployment dropped slightly to 4.7 percent from 4.8 percent, but a policy analyst with Ohio's free-market think tank said that change was a result of the state's shrinking workforce.

Today's jobs report from the Ohio Department of Job and Family Services mirrors its last report, which found that 24,000 residents left the workforce in July. In addition, this month's report shows Ohio's private sector shed 5,000 jobs in August while government added 3,000. Both trends worry Joe Nichols at The Buckeye Institute.

"Three straight months of bad economic news after a strong start to the year for Ohio's labor market means there's clearly more work that needs to be done to improve the state's job climate," Nichols said. "Reforming Ohio's tax code and business regulations can put Ohio employers in a stronger position to hire, promote, and reward employees."

The most job losses in Ohio came in administrative, support, and waste services positions, with a total 3,400 jobs lost, a drop of 1.1 percent. The

most job gains in August occurred in real estate, rentals, and leasing, adding around 1,000 positions, or 1.5 percent.

"A strong private sector ensures more opportunities for workers and adequate funds for needed government services," Nichols said. "Ohio clearly needs more reform to get employers, small businesses, and workers in a position where they can build up the economy and again make Ohio a national leader."

The Buckeye Institute analyzes Ohio's unemployment rate to identify policy solutions for increasing job opportunities and strengthening the state economy.

# # #

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**Sent:** Monday, September 19, 2016 2:22 PM  
**To:** info@rlcoh.org

**CC:** Ann Becker; Bill Yarbrough; Cameron Smith; Kelly Sanders; Mark Zetzer; Mat Erickson; Matt Nye; Michael Newbern; Scott Jerzyk; Ashtabula County GOP; Bart Westfall; Belmont County GOP; Beth Votaw; Bill Hitchcock; Bob Brobst; Bob Essig; Bob Golden; Bob Hegfield; Bob Short; Bob Sperling; Bonnie Chapin; Brent Wilson; Brian Davis; Brian Wieland; Butler County GOP; Carol Lovas; Carrie Schlade; Carroll County GOP; Casey Kozlowski; Celeste Corbisero; Charlie Frye; Cindy Spink; Clark County GOP; Cleveland YR; Clint Jackson; Columbiana County GOP; Connie Martin; Crawford County GOP; Cuyahoga County GOP; Dave Campbell; David Brown; Delaware County GOP; Doc Malinowski; Don Smith; Ed Kidston; Erie County GOP; Fairview Park GOP; Franklin County GOP; Greene County GOP; Hancock County GOP; Holmes County GOP; Isaac Arthur; Jason Keeler; Jason Rockey; Jeff Erb; Jeff Magyar; John Bernardo; John Drinnon; John Kusar; Karrie Blair; Kevin Whitlock; Kim Herman; Knox County GOP; Lake County GOP; Lee Sherkey; LeRoy Feather; Lew Hilkert; Lucas County GOP; Marion County GOP; Medina County GOP; Melissa Pope; Morrow County GOP; Nancy Kister; Nick Wayman; Ottawa County GOP; Patti Rockey; Paul Stumpff; Phil Schmidt; Portage County GOP; Putnam County Republican Party; Sam Santa Rita; Scott Towers; Seneca County GOP; Shelby County GOP; Stark County GOP; Summit County GOP; Summit County Tea Party; Summit County YR; Terry Rummel; Tim Friend; Todd Fenalson; Tom Oneill; Tuscarawas County GOP; Twinsburg Republican Club; Wood County GOP; 10TV; 610WTVN; 893FMWCSB; ABCNews; AlanJohnston; AlanMiller; AllianceReview; AndrewWelshHuggins; AnnieZelm; AssociatedPress; AthensNews; BarbaraCarmen; BarbertonHerald; Bertramde Souza; BillCohen; blilley; BMarrison; BobbyWarren; BrentLarkin; BrianWilson; BuckBuchanan; bwinges; CambridgeDailyJeffersonian; CarolLuper; CaseyBraun; CathyCandisky; CD101morningshow; CharitaGoshay; CherylWelch; ChrisBalusik; ClevelandAreaEvents; ClevelandScene; ColumbusDailyReporter; ColumbusFreePress; ColumbusPost; ColumbusThe OtherPaper; DarrelRowland; DavidSkolnick; DebMarin; DefianceCrescentNews; don. detore; DougGulasy; EdEsposito; ElyriaChronicle-Telegram; EmilyReimer; EricaCooper; FAIR; Fred LeFabvre; GayPeople'sChronicle; GeoffDutton; Gongwer; Hannah News Service; JasonHaap; JayTaylor; JeanineKendle; jeff. gauger; JeffSaunders; JenniferNesbitt; JessicaWeinberg; JimSabin; JimSiegel; joe. shaheen; JoeGarrett; JoeHallet; JoeStrecker; JohnCardenas; JohnRoss; JoIngles; JudithBird; KarenKasler; kcheld; KentCahlander; KevinLanders; KurtLudlow; Lantern; LaurieOmness; LimaNews; LindaKinsey; LindaPatten; LindseyTeter; M Roth; MariettaTimes; MarilouJohanek; MarkNaymik; MaryLynnPlageman; MassillionIndependant; MattWelch; MedinaDailyRecord; MegPeretzky; MichaelDouglas; MichaelMcCoy; MichaelMiller; MikeThrone Chillicothe Gazette; MikeHawkins; mturner; NBC4;

NewPatriotJournal; NewPhiladelphia TimesReporter; NickGillespie; NoahBlundo; OhioLibertyCouncil; OurTown NorthCanton; PamCook; PamJames; PaulTeasley; RochelleYoung; RoseRussell; SanduskyRegister; ShaneStegmiller; SteveHoffman; SteveSchulte; StudentsforLiberty; TeriBerg; This Week News; ThomasSuddes; TimBotos; TimMeredith; TinoRamos; TomBosco; USAToday; WBCL88. 1 West CentralOhio; WCBE; WDTN; WKBNTV27Youngstown; WKYC; WLW700AM; WLWTTV5Cincinnati; WNIR; WOIO19 ActionNews; WSPD; WTAM1100; WTOLChannel11; WYSO91. 3 MiamiValley; YoungstownStateUniv; YoungstownVindicator; Rep67; Rep95; Rep19; Rep36; Rep47; Rep69; Rep72; Rep74; Rep97; Rep23; Rep50; Rep91; Rep70; Rep86; Rep66; Rep92; Rep77; Rep71; Rep87; Rep84; Rep41; Rep85; Rep65; Rep48; Rep37; Rep30; Lou Terhar; Rep29; Rep81; Rep52; Rep68; Rep38; Rep02; Rep06; Rep04; Rep76; Rep07; Rep21; Rep40; Rep16; Rep54; Rep88; Rep80; Rep73; Rep83; Rep01; Rep78; Rep62; Rep61; Rep79; Rep93; Rep24; Niraj Antani; Terry Blair; Rep57; Rep90; Rep03; Rep53; Rep27; Rep82; Rep51; Beagle@ohiosenate.gov; Coley@ohiosenate.gov; Seitz@ohiosenate.gov; Widener@ohiosenate.gov; Cliff Hite (LIO); Burke@ohiosenate.gov; LaRose@ohiosenate.gov; Manning@ohiosenate.gov; Jim Hughes (LIO); Joseph Uecker (LIO); John Eklund (DST); Faber@ohiosenate.gov; Bacon@ohiosenate.gov; Jordan@ohiosenate.gov; Obhof@ohiosenate.gov; Lehner@ohiosenate.gov; Gardner@ohiosenate.gov; Scott Oelslager; Jones@ohiosenate.gov; Patton@ohiosenate.gov; Balderson@ohiosenate.gov; Antonio Ciaccia; Carlton Ramsey; Carolyn Uecker; Dale Chapman; Dan Drockton; Dickran Guerguerian; George Opria; Homer Smith; Jim Rovenski; JoAnn Campbell; John Herrington; John McAvoy; Leonard Pohlar; Mark Williams; Michael Segrest; Michelle Heywood; Nelson Erwin; Robert Waters; Scott Jerzyk; Warren McComas

**Subject:** PRESS RELEASE: REPUBLICAN LIBERTY CAUCUS OF OHIO ANNOUNCES 2016 CONVENTION, SPEAKERS

**Attachments:** Press release 2016 Convention Speakers.docx

FOR IMMEDIATE RELEASE:

Liberty-minded Ohio Republicans are invited to attend the Ohio Republican Liberty Caucus 2016 Convention on Saturday, September 24th in Columbus. Top leaders from all over Ohio will be in attendance – Republicans who believe that Ohio should be a state that stands on Constitutional and free market principles.

The morning session will include captivating speeches and educational panels. The first panel, “What can citizens do in the fight for a better Ohio?” will look at activism and what works to make a change at a local and state level. Panelists include:

- Garrett Kehr, Ohio President, Young Americans for Liberty
- Maurice Thompson, Executive Director of the 1851 Center for Constitutional Law
- Tom Zawistowski, President of the We the People Convention, President of the Portage County TEA Party and former Chair of the Ohio Liberty Coalition
- Greg Lawson, Senior Policy Analyst, Buckeye Institute

and will be led by Bill Yarbrough, Chairman of the Republican Liberty Caucus of Ohio.

The second panel, "Liberty in the Legislature" will look at bills in Ohio's General Assembly and politics in the State of Ohio that have moved us closer or farther away from Liberty. Panelists include:

- State Senator Kris Jordan
- Former State Rep John Adams
- State Rep Ron Hood
- State Rep John Becker
- State Rep Tom Brinkman

and will be led by Michael Newbern, Chair of the RLCOH Legislative Affairs Committee.

Our keynote address will be given by the newest member of the United States House of Representatives, Warren Davidson. Congressman Davidson replaced Speaker John Boehner in Ohio's 8th Congressional District. Warren has committed himself to the oath that he has taken, "to serve, protect and defend the Constitution". His votes on protecting the 4<sup>th</sup> Amendment and against the Puerto Rico bailout has made him an early standout in the Liberty movement at the federal level.

Tickets can be purchased at: <https://www.eventbrite.com/e/rcoh-bi-annual-convention-2016-tickets-25861168451>. Buffet lunch is included with all tickets.

-30-

*The Republican Liberty Caucus is a 527 voluntary grassroots membership organization dedicated to working within the Republican Party to advance the principles of individual rights, limited government and free markets. Founded in 1991, it is the oldest continuously-operating organization within the Liberty Republican movement.*

*More information on the Republican Liberty Caucus of Ohio is available at <http://www.rlcoh.org>. The Republican Liberty Caucus of Ohio is on Facebook at <http://www.facebook.com/RLCOHIO>, and Twitter at <http://www.twitter.com/rlicohio>.*

--  
Contact: Mathew Erickson  
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Contact: Mathew Erickson  
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Email: info@rlcoh.org

PO Box 486  
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43054

**Republican Liberty  
Caucus of Ohio**



# Press Release

## REPUBLICAN LIBERTY CAUCUS OF OHIO ANNOUNCES 2016 CONVENTION, SPEAKERS

Liberty-minded Ohio Republicans are invited to attend the Ohio Republican Liberty Caucus 2016 Convention on Saturday, September 24th in Columbus. Top leaders from all over Ohio will be in attendance – Republicans who believe that Ohio should be a state that stands on Constitutional and free market principles

The morning session will include captivating speeches and educational panels. The first panel, "What can citizens do in the fight for a better Ohio?" will look at activism and what works to make a change at a local and state level. Panelists include:

- Garrett Kehr, Ohio President, Young Americans for Liberty
- Maurice Thompson, Executive Director of the 1851 Center for Constitutional Law
- Tom Zawistowski, President of the We the People Convention, President of the Portage County TEA Party and former Chair of the Ohio Liberty Coalition
- Greg Lawson, Senior Policy Analyst, Buckeye Institute

and will be led by Bill Yarbrough, Chairman of the Republican Liberty Caucus of Ohio.

The second panel, "Liberty in the Legislature" will look at bills in Ohio's General Assembly and politics in the State of Ohio that have moved us closer or farther away from Liberty. Panelists include:

- State Senator Kris Jordan
- Former State Rep John Adams
- State Rep Ron Hood
- State Rep John Becker

- State Rep Tom Brinkman

and will be led by Michael Newbern, Chair of the RLCOH Legislative Affairs Committee.

Our keynote address will be given by the newest member of the United States House of Representatives, Warren Davidson. Congressman Davidson replaced Speaker John Boehner in Ohio's 8th Congressional District. Warren has committed himself to the oath that he has taken, "to serve, protect and defend the Constitution". His votes on protecting the 4<sup>th</sup> Amendment and against the Puerto Rico bailout has made him an early standout in the Liberty movement at the federal level.

Tickets can be purchased at: <https://www.eventbrite.com/e/rcoh-bi-annual-convention-2016-tickets-25861168451>. Buffet lunch is included with all tickets.

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*The Republican Liberty Caucus is a 527 voluntary grassroots membership organization dedicated to working within the Republican Party to advance the principles of individual rights, limited government and free markets. Founded in 1991, it is the oldest continuously-operating organization within the Liberty Republican movement.*

*More information on the Republican Liberty Caucus of Ohio is available at <http://www.rcoh.org>. The Republican Liberty Caucus of Ohio is on Facebook at <http://www.facebook.com/RLOHIO>, and Twitter at <http://www.twitter.com/rcohio>.*

**From:** Republican Liberty Caucus of Ohio  
**Sent:** Tuesday, September 27, 2016 8:50 AM  
**To:** info@rlcoh.org  
**Subject:** Press Release: REPUBLICAN LIBERTY CAUCUS OF OHIO HOLDS 2016 CONVENTION IN COLUMBUS, OHIO  
**Attachments:** Press release 2016 Convention recap.docx

**Importance:** High

# Press Release

FOR IMMEDIATE RELEASE:

## REPUBLICAN LIBERTY CAUCUS OF OHIO HOLDS 2016 CONVENTION IN COLUMBUS, OHIO

Liberty-minded Ohio Republicans met for the Republican Liberty Caucus of Ohio 2016 Convention on Saturday, September 24th at King Avenue Five in Columbus. Top leaders from all over Ohio were in attendance – Republicans who believe that Ohio should be a state that stands on Constitutional and free market principles.

The keynote address was given by the newest member of the United States House of Representatives, Warren Davidson. Congressman Davidson replaced Speaker John Boehner in Ohio's 8th Congressional District. Rep. Davidson spoke about his commitment to the oath that he has taken, "to serve, protect and defend the Constitution from all enemies, foreign and domestic".

The first panel, "What can citizens do in the fight for a better Ohio?" looked at activism and what works to make a change at a local and state level. Panelists included:

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- State Senator Kris Jordan

The RLCOH presented the "Champions of Liberty" award to State Senator Kris Jordan, and State Representative Tom Brinkman as the senator and representative with the most consistent, liberty minded voting record. The Chairman's Choice Award for Inspirational Volunteer was also presented to Public Relations Chairman Mathew Erickson.

The event also included a business portion, where RLCOH members elected a new governing board. Election results were as follows:

- Chairman – Bill Yarbrough of Columbus, Ohio
- Vice-Chairman – Chris Sawicki of Medina, Ohio
- Secretary – Kelly Sanders of Pickerington, Ohio
- Treasurer – Jim Rovenski of Columbus, Ohio

#### At Large Board Members:

- Ann Becker of West Chester, Ohio – Chairwoman of the Field Development Committee
- Mathew Erickson of North Canton, Ohio – Chairman of the Public Relations Committee
- Scott Jeryzk of Columbus, Ohio – Chairman of the Candidates Committee
- Michael Newbern of Delaware, Ohio – Chairman of the Legislative Affairs Committee

Videos of the event can be found on the RLCOH YouTube channel at  
<https://www.youtube.com/channel/UCK4xpE-jynG2EEnC4lrfUnw>

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**Republican Liberty  
Caucus of Ohio**



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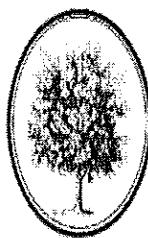
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**From:** The Buckeye Institute  
**Sent:** Tuesday, September 27, 2016 2:54 PM  
**To:** Rep48  
**Subject:** President Obama is ignoring the law



# THE BUCKEYE INSTITUTE

## Buckeye firmly planted to stop presidential power grab

From the Environmental Protection Agency (EPA) to the National Labor Relations Board (NLRB), President Obama has shown a disrespect for the law by circumventing Congress. The Buckeye Institute is standing firm to stop such presidential power grabs.

### NLRB not free to decree

Today, Buckeye's Legal Center joined in a legal briefing to the U.S Supreme Court on NLRB v. SW General Inc., in which the Arizona-based company is challenging whether the president can (as he did) ignore the plain language of the law regarding who may serve as the NLRB's "acting" general counsel.

"Government is built on checks and balances to ensure no one branch has too much power," Robert Alt, Buckeye's president and CEO, said. "If the president can ignore any law deemed inconvenient, that sets a dangerous precedent for future presidents to pick and choose what laws to follow."

### EPA gets its day (in court)

President Obama's Clean Power Plan has a murky history. Today, arguments for and against the plan received a scrubbing from the U.S. Court of Appeals for the D.C. Circuit. In February, Buckeye's Legal Center sued the Obama Administration over the EPA's unconstitutional mandate.

The Clean Power Plan not only is an overreach in its attempt to regulate state energy markets, but also does not give states meaningful opportunities to decline its implementation – a pillar of U.S. federalism. That is why the U.S. Supreme Court issued a stay, halting the plan, until its journey throughout the courts is concluded.

Although today's case could be appealed to the U.S. Supreme Court regardless of the outcome, the D.C. Circuit's decision could stand if:

1. Buckeye and our co-petitioners are successful and the next president declines to appeal the decision; or
2. The decision is appealed to the U.S. Supreme Court and the late Justice Scalia's seat is still empty, resulting in a 4-4 split decision; or
3. The U.S. Supreme Court declines to hear an appeal to the case.

It's a complicated path for a complicated case, but Buckeye's role is quite simple: Stand firm, deeply rooted against all cases of government overreach.

# # #

Founded in 1989, The Buckeye Institute is an independent research and educational institution—a think tank—whose mission is to advance free-market public policy in the states.

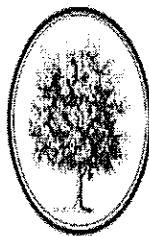
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Suite 1120, Columbus, OH 43215

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Sent by [info@buckeyeinstitute.org](#)

**From:** The Buckeye Institute  
**Sent:** Wednesday, September 28, 2016 2:20 PM  
**To:** Rep48  
**Subject:** Protecting property rights, keeping communities safe



## THE BUCKEYE INSTITUTE

As Ohio policymakers pursue major reforms to the state's criminal justice laws, The Buckeye Institute is making sure the principles of individual liberty and property rights are not just heard but strengthened across our state.

Today, in The Columbus Dispatch, Buckeye's president and CEO explained how civil-asset forfeiture reforms can protect innocent Ohioans while giving law enforcement the resources they need to keep our communities safe:

Ohio law enforcement needs reasonable tools to combat drug traffickers. And Ohioans need greater legal protection to assure that their property will not be forfeited to the state absent a criminal conviction. Happily, both objectives can be achieved through reforming Ohio's civil-asset forfeiture law. ...

Under Ohio's current law, after property is seized, prosecutors may commence a lawsuit against the property --- you read that correctly, the thing – not the property owner. And the prosecutor may do so regardless of whether the owner is ever charged with a crime. The owner has no right to legal counsel, and must assert his or her rights in court at his or her own expense in order to get the property back.

To read the full op-ed, [click here](#). To learn more about Buckeye's Legal Center, which is tackling this issue and other important policies, [click here](#).

As reforms to Ohio's civil-asset forfeiture laws continue to gain momentum, The Buckeye Institute will keep you informed of our work and successes protecting everyday Ohioans' rights.

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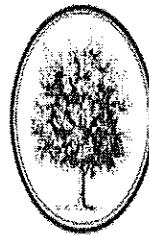
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Sent by [info@buckeyeinstitute.org](mailto:info@buckeyeinstitute.org)

**From:** The Buckeye Institute  
**Sent:** Tuesday, October 11, 2016 9:12 AM  
**To:** Rep48  
**Subject:** Latest salary data on Ohio governments now available

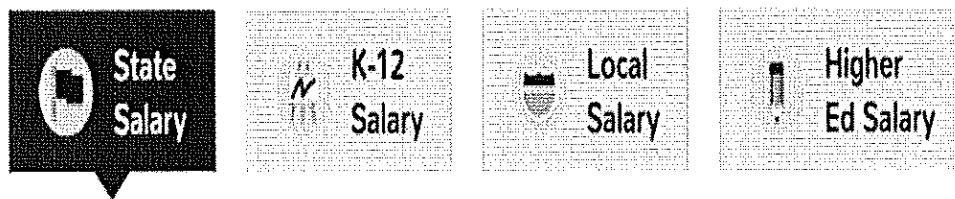


## THE BUCKEYE INSTITUTE

Knowledge is power. And giving all citizens insight into how their government is operating is how power stays in the hands of the many rather than a select few. That basic principle guides The Buckeye Institute's efforts to create a more transparent government.

To that end, The Buckeye Institute recently updated its popular [government salary search engine](#) with the latest data from 2015. There you can see how the salaries of Ohio's public sector employees compare with those in the private sector --- that is, the ones whose taxes pay for those government positions. To begin searching, [click here](#) or the image below.

### Database



Such tools give citizens, policymakers, the media, and you the ability to be a watchdog on government. Do our public institutions reflect the communities they're funded to represent? Find out for yourself: [Click here and start searching.](#)

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Sent by [info@buckeyeinstitute.org](mailto:info@buckeyeinstitute.org)

**From:** Heartland Institute: The Government Relations Team  
**Sent:** Thursday, October 13, 2016 4:05 PM  
**To:** Rep48  
**Subject:** The Leaflet - Education Savings Accounts and Blaine Amendments



## Education Savings Accounts and Blaine Amendments

On September 29, the Nevada Supreme Court upheld the constitutionality of the state's education savings account (ESA) program on two of the three fundamental questions brought before the court and rejected challenges suggesting only certain types of schools could benefit from the ESA program. The Court did say, however, the state must find an alternative funding source for the program.

One remaining challenge to the ESA program's success is the state's Blaine amendment, which also serves as a barrier in a number of other states as well. Blaine amendments were first promoted by nineteenth-century politician James G. Blaine. Critics of Blaine accused him of abusing public funds for personal gain and being a manipulative political figure.

In 1875, Blaine unsuccessfully pushed for a federal constitutional amendment that would have prohibited aid given to "sectarian" schools, so he instead turned to pressuring states and prospective states into passing similar amendments to their state constitutions. Policy Analyst Tim Benson says in a recent *Research & Commentary* on the subject, "Blaine amendments are anti-Catholic pieces of legislation that were designed to prevent public money from being sent to religious schools. They currently exist in 38 state constitutions."

Blaine amendment supporters routinely employ them in lawsuits against state voucher programs that some students use at private religious schools. They tend to characterize the amendments as an important and secondary safeguard to the separation of church and state.

Advocates seek legal ways to administer school choice around Blaine amendments or by trying to dispose of the amendments entirely through re-amending state constitutions. They criticize Blaine for its formidable barrier to extending better education with public money and its discriminatory history and intent.

In a recent blog post for the Cato Institute, Cato Policy Analyst Jason Bedrick discusses the different ESA programs in existence across the nation and argues that of the five existing ESA programs, Nevada's is the most expansive and would be the most beneficial for kids and

parents.

"Florida, Mississippi, and Tennessee restrict their ESAs to students with special needs," wrote Bedrick. = 2Arizona originally restricted ESA eligibility to students with special needs, but has since included foster children, children of active-duty military personnel, students assigned to district schools rated D or F, and children living in Native American reservations. In Nevada, all students who attended a public school for at least 100 days in the previous academic year are eligible."

Bob Luebke, senior policy analyst at the Civitas Institute, [argues in a 2015 Civitas article](#) ESAs can spur educational innovation. "ESAs empower parents with the ability to customize educational markets. In so doing, ESAs will help propel educational innovation. Market forces will come to bear on all schools, public and private. If school suppliers are responsive to these changing forces, they will adapt and survive. If not, they will fail. Parents will drive these changes."

Reason Foundation Education Policy Analyst Tyler Koteskey [argued in a recent Reason Foundation article](#) the Nevada Supreme Court's ruling highlights a larger ideological education reform shift school choice advocates still need to work toward, stating, "If we define 'public education' as education available to every child, why should we conceive of it as coming exclusively from government sources? If we're going to spend public money to support all students having an education in the first place, why shouldn't they be able to be used it at a variety of schools, whether traditional public, public charter, or private?"

States with Blaine amendments should follow Nevada's example and pursue school choice through ESAs, a decision that would benefit kids and parents everywhere.

## WHAT WE'RE WORKING ON

### Budget & Tax

#### [Congressman Offers Online Sales Tax Proposal](#)

In this article from *Budget & Tax News*, writer Michael McGrady examines a draft proposal to create a federal framework for collecting and remitting sales taxes on online purchases made across state borders. McGrady highlights Curtis Dubay, a tax and economics research fellow with The Heritage Foundation, who argues although the Online Sales Simplification Act is better than previous online sales tax proposals floated by lawmakers, it is still flawed. "It's a better approach, but it still falls short," Dubay said. [Read more](#)



### Education

#### [Public Support for Common Core Falls to New Low](#)

Jenni White, cofounder of Restore Oklahoma Public Education, reports a new report - titled *Ten-Year Trends in Public from the Ed Next Poll* and published by *Education Next*, a journal published by the Harvard Kennedy School's Program on

Education Policy and Governance - found public support for Common Core has dropped from nearly 90 percent in 2012 to 50 percent in 2016. Uniform state standards, the survey finds, are still broadly popular, but "the Common Core 'brand' holds a negative connotation for many people." [Read more](#)

#### **Energy & Environment**

##### **Research & Commentary: Shale Revolution Has Been a Giant Boon to Pennsylvania's Economy**

A new report by the U.S. Chamber of Commerce (USCC) paints a bleak picture of what a post-2009 Pennsylvania would look like without the "energy renaissance" in oil and natural gas extraction that has gone on over the past decade. According to the report, \$13 billion in state gross domestic product (GDP), \$7.2 billion in labor income, and more than 117,000 jobs would have been lost had the energy revolution never occurred. Of the total costs, \$4.5 billion in lost GDP, \$2.3 billion in labor income, and 27,500 jobs would have been directly related to the oil and gas industry's extraction process; the remaining economic costs would have been the result of substantially higher energy costs. In this *Research & Commentary*, Policy Analyst Tim Benson examines the USCC report and hydraulic fracturing in Pennsylvania. Benson says drilling is being conducted in a safe and responsible manner and "has significantly transformed the energy outlook of the Keystone State for the better." [Read more](#)

#### **Health Care**

##### **Research & Commentary: Wisconsin Deserves 'Right to Try'**

In order to speed up the U.S. drug-approval process and improve access to potentially life-saving drugs for extremely sick people, several states have introduced new laws, commonly called right-to-try (RTT) laws, that would allow terminally ill patients to obtain experimental drugs without getting federal approval. Currently, almost half of all U.S. states have implemented RTT laws. In this *Research & Commentary*, Senior Policy Analyst Matthew Glans discusses the drug-approval process and the potential benefits right-to-try reform would have in Wisconsin, where it is now being considered. "Under the [proposed RTT] model, access to experimental drugs is limited to use by terminal patients who have exhausted other available treatments. Additionally, the experimental medications would be made available only if the manufacturer chooses to make them available, and the request would require a doctor to diagnose a terminal disease and declare the drug would provide the patient with his or her best chance of survival. Patients would also have to provide informed consent, limiting legal exposure for the drug's manufacturer," Glans wrote. [Read more](#)

You have two opportunities this year to attend Heartland's Emerging Issues Forum!

**Summer - Chicago, IL**  
August 7-8, 2016

**Winter - Orlando, FL**  
December 15-17, 2016

**Register Now!**

